PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
joint with the
COMMITTEE ON OVERSIGHT AND REFORM
and the
COMMITTEE ON FOREIGN AFFAIRS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

DEPOSITION OF: TIM MORRISON

Thursday, October 31, 2019
Washington, D.C.

The deposition in the above matter was held in Room HVC-304, Capitol Visitor Center, commencing at 8:10 a.m.

Present: Representatives Schiff, Himes, Sewell, Speier, Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes, Conaway, Turner, Wenstrup, Stefanik, Hurd, and Ratcliffe.

Also Present: Representatives Bera, Cicilline, Connolly, Cooper, Keating, Lieu, Lynch, Malinowski, Phillips, Raskin, Rouda, Tlaib, Wasserman Schultz, Armstrong, Cloud, Higgins, Jordan, Kelly, Massie, Meadows, Norman, Perry, and Roy.

Appearances:

For the PERMANENT SELECT COMMITTEE ON INTELLIGENCE:

[redacted]

For the COMMITTEE ON OVERSIGHT AND REFORM:

[redacted]

For the COMMITTEE ON FOREIGN AFFAIRS:

[redacted]

For TIM MORRISON:

BARBARA VAN GELDER
HANNAH CORNETT

THE CHAIRMAN: Good morning, Mr. Morrison. We're on the record now. Good morning, and welcome to the House Permanent Select Committee on Intelligence, which, along with the Foreign Affairs and Oversight Committees, is conducting this investigation as part of the official impeachment inquiry of the House of Representatives.

Today's deposition is being conducted as part of the impeachment inquiry. In light of attempts by the administration to direct witnesses not to cooperate with the inquiry, including efforts to limit witness testimony, the committee had no choice but to compel your appearance today. We thank you for complying with the duly authorized congressional subpoena.

Mr. Morrison has served for almost two decades in government, having held positions in both the executive and legislative branches. Mr. Morrison served as a professional staff member for Representative Mark Kennedy of Minnesota and Senator Jon Kyl of Arizona. Later, Mr. Morrison served as the longtime policy director for the Republicans on the House Armed Services Committee.

In July 2018, Mr. Morrison joined the National Security Council staff as Senior Director for Countering Weapons of Mass Destruction. Following the departure of Dr. Fiona Hill in July 2019, Mr. Morrison assumed the position of Senior Director for Russia and Europe.

In this position, Mr. Morrison would have had access to and been involved in key policy discussions, meetings, and decisions on Russia and Ukraine that relate directly to areas under investigation by the committees.

Finally, to restate what I and others have emphasized in other interviews, Congress will not tolerate any reprisal, threat of reprisal, or attempt to retaliate against any U.S. Government official for testifying before Congress, including you or any of your colleagues.

It is disturbing that the White House has sought to prohibit employees from cooperating with the inquiry and have tried to limit what they can say. This is unacceptable. Thankfully, consummate professionals have demonstrated remarkable courage in coming forward to testify and tell the truth.

We understand that you have resigned from the NSC, Mr. Morrison, and we sincerely hope this is not a result of retaliation or reprisal due to your testimony here today. If it is, we would ask your attorney to inform us of any relevant information as soon as possible.

Before I turn to committee counsel to begin the interview, I invite the ranking member of the Intelligence Committee, Mr. Nunes, to make any opening remarks.

MR. NUNES: Welcome, Mr. Morrison.

Just be advised, because this is being done behind closed doors, the transcripts aren't being released, there's been a history of the majority cutting off our questioners. There's also been a history of leading the witness. And so I just want to advise you of that in advance.

We hope that you will be forthright with us and answer the questions and not take coaching from the majority. And your lawyer, your counsel should be advised that this has been a common theme throughout the last month of these depositions.

And, with that, welcome. It's great to have you.

THE CHAIRMAN: In the interest of time, I will not bother to rebut my colleague, but recognize Mr. Goldman.

MR. GOLDMAN: Thank you, Mr. Chairman.

This is a deposition of Timothy Morrison conducted by the House Permanent Select Committee on Intelligence pursuant to the impeachment inquiry announced by the Speaker of the House on September 24th, 2019.

Mr. Morrison, if you could please state your full name and spell your last name for the record.

MR. MORRISON: Timothy Aron Morrison, M-o-r-r-i-s-o-n.

MR. GOLDMAN: And if you could just pull the mike close to you, then you can relax and just talk into it. Thank you.

Now, along with other proceedings in furtherance of the inquiry to date, this deposition is part of a joint investigation led by the Intelligence Committee, in coordination with the Committees on Foreign Affairs and Oversight and Reform.

In the room today are majority staff and minority staff from all three committees, and this will be a staff-led deposition. Members of course may ask questions during their allotted time, as has been the case in every deposition since the inception of this investigation.

My name is Daniel Goldman. I'm the director of investigations for the Intelligence Committee's majority staff. And I want to thank you again for coming in today.

Let me do some brief introductions. To my right here is Daniel Noble, senior investigative counsel for the Intelligence Committee's majority staff. Mr. Noble and I will be conducting most of the interview for the majority.

And now I'd like to ask my counterparts on the minority to introduce themselves.

MR. CASTOR: Steve Castor with the Oversight Committee Republican staff.

[redacted]

[redacted]

MR. GOLDMAN: This deposition will be conducted entirely at the unclassified level. However, it is being conducted in HPSCI secure spaces and in the presence of staff with appropriate security clearances.

We understand that your attorneys also have their security clearances. Is that right?

MS. VAN GELDER: No.

MR. GOLDMAN: Okay. They do not.

It is the committee's expectation, regardless of that, that neither questions asked of you nor answers provided by you will require discussion of any information that is currently or at any point could be properly classified under Executive Order 13526.

You are reminded that EO 13526 states that, quote, "in no case shall information be classified, continue to be maintained as classified, or fail to be declassified for the purpose of concealing any violations of law or preventing embarrassment of any person or entity."

If any of our questions can only be answered with classified information, please inform us of that fact before you answer the question, and we can adjust accordingly.

Today's deposition is not being taken in executive session, but because of the sensitive and confidential nature of some of the topics and materials that will be discussed, access to the transcript of the deposition will be limited to the three committees in attendance.

Under the House deposition rules, no Member of Congress nor any staff member can discuss the substance of the testimony that you provide today.

You and your attorney will have an opportunity to review the transcript before it is released.

Before we begin, I'd like to go over some of the ground rules for the deposition. We will be following the House regulations for depositions, which have previously been provided to your counsel.

The deposition will proceed as follows. The majority will be given 1 hour to ask questions; then the minority will be given 1 hour to ask questions. Thereafter, we will alternate back and forth between majority and minority in 45-minute rounds until questioning is complete.

We will take periodic breaks, but if you need a break at any time, please let us know.

Under the House deposition rules, counsel for other persons or government agencies may not attend. You are permitted to have an attorney present during this deposition, and I see that you have brought two.

At this time, if counsel could please state their appearances for the record.

MS. VAN GELDER: Barbara Van Gelder.

MS. CORNETT: Hannah Cornett.

MR. GOLDMAN: There is a stenographer taking down everything that is said here today in order to make a written record of the deposition. For that record to be clear, please wait until each question is completed before you begin your answer, and we will wait until you finish your response before asking the next question.

The stenographer cannot record nonverbal answers such as shaking your head, so it is important that you answer each question with an audible, verbal answer.

We ask that you give complete replies to questions based on your best recollection. If a question is unclear or you are uncertain in your response, please let us know. And if you do not know the answer to a question or cannot remember, simply say so.

You may only refuse to answer a question to preserve a privilege recognized by the committee. If you refuse to answer a question on the basis of privilege, staff may either proceed with the deposition or seek a ruling from the chairman on the objection. If the chair overrules any such objection, you are required to answer the question.

Finally, you are reminded that it is unlawful to deliberately provide false information to Members of Congress or staff. It is imperative that you not only answer our questions truthfully but that you give full and complete answers to all questions asked of you. Omissions may also be considered as false statements.

Now, as this deposition is under oath, Mr. Morrison, would you please stand and raise your right hand to be sworn?

Do you swear that your testimony provided here today will be the whole truth and nothing but the truth?

MR. MORRISON: I do.

MR. GOLDMAN: Thank you. You can be seated.

Let the record reflect that the witness has been sworn.

Mr. Morrison, if you have an opening statement, now is the time.

MR. MORRISON: Thank you.

Chairman Schiff and members of the committees, I appear today under subpoena to answer your questions about my time as Senior Director for European Affairs at the White House in the National Security Council. I will give you the most complete information I can, consistent with my obligations to the President and the protection of classified information.

I do not know who the whistleblower is, nor do I intend to speculate as to who it may be.

Before joining the NSC in 2018, I spent 17 years as a Republican staffer serving in a variety of roles in both houses of Congress. My last position was policy director for the then-majority staff of the House Armed Services Committee.

From July 9, 2018, to July 15, 2019, I served as a Special Assistant to the President for National Security and as the NSC Senior Director for Weapons of Mass Destruction and Biodefense. In that role, I had limited exposure to Ukraine, focusing primarily on foreign military sales and arms control.

On July 15, 2019, I became Deputy Assistant to the President for National Security. In this role, I serve as the lead interagency coordinator for national security issues involving Europe and Russia.

It is important to start with the role of the NSC. Since its creation by Congress in 1947, the NSC has appropriately evolved in shape and size to suit the needs of the President and the National Security Advisor it serves at the time. But its mission and core function has fundamentally remained the same: to coordinate across departments and agencies of the executive branch to ensure the President has the policy options he needs to accomplish his objectives and to see that his decisions are implemented.

The NSC staff does not make policy. NSC staff are most effective when we are neutral arbiters helping the relevant executive branch agencies develop options for the President and implement his direction.

In my current position, I understood our primary U.S. policy objective in Ukraine was to take advantage of the once-in-a-generation opportunity that resulted from the election of President Zelensky and the clear majority he had gained in the Ukrainian Rada to see real anticorruption reform take root.

The administration's policy was that the best way for the United States to show its support for President Zelensky's reform efforts was to make sure the United States' longstanding bipartisan commitment to strengthen Ukraine's security remained unaltered.

It is easy to forget here in Washington, but impossible in Kyiv, that Ukraine is still under armed assault by Russia, a nuclear-armed state. We also tend to forget that the United States had helped convince Ukraine to give up Soviet nuclear weapons in 1994.

United States security-sector assistance from the Departments of Defense and State is, therefore, essential to Ukraine. Also essential is a strong and positive relationship with Ukraine at the highest levels of our respective governments.

In my role as Senior Director for European Affairs, I reported directly to former Deputy National Security Advisor Dr. Charles Kupperman and former National Security Advisor Ambassador John Bolton. I kept them fully informed on matters that I believe merited their awareness or when I felt I needed some direction.

During the time relevant to this inquiry, I never briefed the President or Vice President on matters related to Ukrainian security. It was my job to coordinate with the U.S. Embassy Chief of Mission to Ukraine, William Taylor, Special Representative for Ukraine Negotiations Kurt Volker, and other interagency stakeholders in the Departments of Defense and State on other Ukrainian matters.

My primary responsibility has been to ensure Federal agencies had consistent messaging and policy guidance on national security issues involving European and Russian affairs.

As Dr. Fiona Hill and I prepared for me to succeed her, one of the areas we discussed was Ukraine. In that discussion, she informed me of her concerns about two Ukraine processes that were occurring: the normal interagency process led by the NSC with the typical department and agency participation, and a separate process that involved chiefly the U.S. Ambassador to the European Union.

Dr. Hill told me that Ambassador Sondland and President Trump's personal lawyer, Rudy Giuliani, were trying to get President Zelensky to reopen Ukrainian investigations into Burisma. At the time, I did not know what Burisma was or what the investigation entailed. After the meeting with Dr. Hill, I googled "Burisma" and learned that it was a Ukrainian energy company and that Hunter Biden was on its board.

I also did not understand why Ambassador Sondland would be involved in Ukraine policy, often without the involvement of our duly appointed Chief of Mission, Ambassador Bill Taylor.

My most frequent conversations were with Ambassador Taylor because he was the U.S. Chief of Mission in Ukraine, and I was his chief conduit for information related to White House deliberations, including security-sector assistance and potential head-of-state meetings. This is a normal part of the coordination process.

In preparation for my appearance today, I reviewed the statement Ambassador Taylor provided this inquiry on October 22nd, 2019. I can confirm that the substance of his statement as it relates to conversations that he and I had is accurate. My recollections differ on two of the details, however.

I have a slightly different recollection of my September 1, 2019, conversation with Ambassador Sondland. On page 10 of Ambassador Taylor's statement, he recounts a conversation I relayed to him regarding Ambassador Sondland's conversation with Ukrainian Presidential Advisor Yermak.

Ambassador Taylor wrote, and I quote, "Ambassador Sondland told Mr. Yermak that security assistance money would not come until President Zelensky committed to pursue the Burisma investigation," end quote.

My recollection is that Ambassador Sondland's proposal to Mr. Yermak was that it could be sufficient if the new Ukrainian Prosecutor General, not President Zelensky, would commit to pursue the Burisma investigation.

I would also like to clarify that I did not meet with the Ukrainian National Security Advisor in his hotel room, as Ambassador Taylor indicated on page 11 of his statement. Instead, an NSC aide and I met with Mr. Danylyuk in the hotel's business center.

I also reviewed the memorandum of conversation of the July 25 phone call that was released by the White House. I listened to the call as it occurred from the Situation Room. To the best of my recollection, the MEMCON accurately and completely reflects the substance of the call.

I also recall that I did not see anyone from the NSC Legal Advisor's Office in the room during the call. After the call, I promptly asked the NSC Legal Advisor and his deputy to review it.

I had three concerns about a potential leak of the MEMCON: first, how it would play out in Washington's polarized environment; second, how a leak would affect the bipartisan support our Ukrainian partners currently experience in Congress; and, third, how it would affect the Ukrainian perceptions of the U.S.-Ukraine relationship.

I want to be clear: I was not concerned that anything illegal was discussed.

I was aware that the White House was holding up security-sector assistance passed by Congress -- excuse me. I was not aware that the White House was holding up the security-sector assistance passed by Congress until my superior, Dr. Charles Kupperman, told me soon after I succeeded Dr. Hill.

I was aware that the President thought Ukraine had a corruption problem, as did many others familiar with Ukraine. I was also aware that the President believed that Europe did not contribute enough assistance to Ukraine.

I was directed by Dr. Kupperman to coordinate with the interagency stakeholders to put together a policy process to demonstrate that the interagency supported security-sector assistance to Ukraine.

I was confident that our national security principals -- the Secretaries of State and Defense, the Director of the Central

Intelligence Agency, and the head of the National Security Council -- could convince President Trump to release the aid, because President Zelensky and the reform-oriented Rada were genuinely invested in their anticorruption agenda.

Ambassador Taylor and I were concerned that the longer the money was withheld, the more questions the Zelensky administration would ask about the U.S. commitment to Ukraine. Our initial hope was that the money would be released before the hold became public, because we did not want the newly constituted Ukrainian Government to question U.S. support.

I have no reason to believe the Ukrainians had any knowledge of the review until August 28, 2019.

Ambassador Taylor and I had no reason to believe that the release of the security-sector assistance might be conditioned on a public statement reopening the Burisma investigation until my September 1, 2019, conversation with Ambassador Sondland.

Even then, I hoped that Ambassador Sondland's strategy was exclusively his own and would not be considered by leaders in the administration and Congress who understood the strategic importance of Ukraine to our national security.

I am pleased our process gave the President the confidence he needed to approve the release of the security-sector assistance. My regret is that Ukraine ever learned of the review and that, with this impeachment inquiry, Ukraine has become subsumed in the U.S. political process.

After 19 years of government service, I have decided to leave the NSC. I have not submitted a formal resignation at this time because I do not want anyone to think there is a connection between my testimony today and my impending departure. I plan to finalize my transition from the NSC after my testimony is complete.

During my time in public service, I have worked with some of the smartest and most self-sacrificing people in this country. Serving at the White House in this time of unprecedented global change has been the opportunity of a lifetime. I am proud of what I have been able in some small way to help the Trump administration to accomplish.

Thank you for your attention.

THE CHAIRMAN: Mr. Goldman, you are recognized for 1 hour.

MR. GOLDMAN: Thank you, Mr. Chairman.

BY MR. GOLDMAN:

Q Mr. Morrison, I just want to start where you ended, about your resignation. You said that it had nothing to do with your testimony today. What is the reason that you are resigning around this time?

A I have decided that it's time for a change in my career.

Q And so it had nothing to do with this Ukraine issue and the impeachment inquiry?

A No.

Q Did you have any discussions with anyone -- other than any formal letters or conversations between any attorneys and your attorney, did you personally have any discussions with anyone at the

White House about your testimony here today?

A I discussed with personnel at the White House that I would be testifying. I did not talk about the substance of what my testimony would be.

Q Did anyone discourage you from testifying?

A No.

Q Who did you speak to?

A I talked to the Deputy National Security Advisor, Matthew Pottinger. I talked to various personnel from NSC Press. And I talked to the NSC Legal Advisor and his deputy. And I believe I informed my deputy that I would be testifying here today.

Q Did anyone ask you what you were going to say here today?

A No.

Q Did anyone encourage you to testify in a certain way?

A No.

Q So is your testimony here today entirely of your own recollection and volition?

A Yes, and based on the consultations with my lawyer.

Q Did you review any notes before you came to testify here today?

A Yes.

Q What did you review?

A I reviewed, among other things, the notes I took on July 25th during the head-of-state phone call between President Trump and President Zelensky. I reviewed various entries in my official calendar with respect to dates that meetings occurred, dates that phone calls occurred. I reviewed emails I sent to make sure I was correctly remembering the timelines on which things occurred.

Q Okay.

Now, let's focus on when you took over as the Senior Director for Europe and Russia. What date was that?

A July 15, 2019.

Q And, prior to that, you indicated that you had some involvement in Ukraine related to some of the arms sales that was the focus of your prior position?

A Foreign military sales and arms control.

Q Okay. Were you following -- prior to when you assumed this -- well, when did you know that you were going to take over this role?

A I began negotiating with Ambassador Bolton and Dr. Kupperman probably mid-May of 2019 about whether and if I would take on the role.

Q How much of your time in this position related to Ukraine?

A Which position?

Q Your current position.

A A significant quantity.

Q And when you had those initial conversations with Ambassador Bolton and Dr. Kupperman in May, did you specifically discuss Ukraine at all?

A No.

Q Were you aware of the, sort of, swirling press reports related to Ukraine in May?

A In passing.

Q And can you explain what you knew at that time?

A I recall seeing various press reporting about these -- about Ukraine issues, but I had a more-than-full-time job that kept me pretty occupied.

Q And what do you remember? What issues do you remember?

A I have no specific recollection of a particular Ukraine issue. I just recall seeing press reporting about who this President Zelensky was. He's a comedian. He had a TV show. Those kinds of issues.

Q Uh-huh. Were you following any public statements made by Rudy Giuliani related to Ukraine at this time?

A Not that I can recall.

Q And between mid-May when you accepted the job and July 15th when you started, what did you do, if anything, to study up on Ukraine issues before you took over the job?

A I had one or two, sort of, transition conversations, handoff conversations with Dr. Hill.

Q That was before July 15th?

A That was before July 15th. Probably beginning around July 1, the fact of the transition became known to Dr. Hill, and we began talking about how to make sure there was an orderly handoff.

Q But after you knew you were going to take this position, did you pay closer attention to the media reports related to Ukraine?

A In fairness, no. I still had a full-time job that was occupying me.

Q Okay. So when you started talking to Dr. Hill on July 1st, were you aware of any of the alternative narratives that Mr. Giuliani and others were promoting in the media?

A As I said in my statement, Dr. Hill, when we began these handoff conversations, Ukraine was a topic of those conversations, and she informed me of her concerns about this alternate process.

Q So I just want to understand what your knowledge was before you met with Dr. Hill. Were you aware of any of these alternative narratives before that?

A I have no specific recollection about any alternative narrative.

Q Okay. So you described that in your meeting with Dr. Hill, in your opening statement, that you discussed, I think you said two -- I don't want to misstate what you said, but two processes related to Ukraine. Is that right?

A Yes.

Q So can you describe what you understood from Dr. Hill to be the two separate processes?

A As I said in my statement, there was the normal process, where decisionmaking went through the duly appointed personnel, whether that's the Chief of Mission, Ambassador Taylor, Envoy Volker, the appropriate personnel from the Departments of State and Defense and Energy and intelligence agencies and so forth, as we normally do business under the NSPM-4 process. And there was this second track, chiefly led by Ambassador Sondland, where Rudy Giuliani's name would come up.

Q In that conversation, did you have any discussion about the policy positions of both processes, as you call them, including whether there was any difference between the, sort of, two tracks in terms of policy?

A Not as such. It was chiefly focused on, here's the normal process where decisions get made that I was familiar with from my own job, and here was this other track where Ambassador Sondland and Mr. Giuliani were involved. Fiona mentioned that they were interested in issues such as the Burisma investigation, and I noted that. And that was essentially the substance of the conversation.

Q What did she say specifically about Ambassador Sondland and his role?

A She described Ambassador Sondland as a problem. We both discussed that Ukraine was not in the EU, which led to the follow-on question of, why is he involved in Ukraine? And, as I mentioned, she mentioned Burisma, which I really did not know what that was.

Q So just focusing on Ambassador Sondland for a minute, did she explain to you her understanding as to why Ambassador Sondland was involved in Ukraine policy?

A She stated that Ambassador Sondland believed he had the mandate to get involved based on his relationship with the President.

Q Was it based on his relationship or based on a directive from the President, as you understood it?

A The way I recall her relating it to me, based on her perspective, was his relationship.

Q Other than the fact that Ukraine is not in the EU, did she indicate to you any other concerns about Ambassador Sondland's role?

A It was less about his role in Ukraine and more about how he conducted himself. He did not participate in the process. So we are very process-oriented on the NSC; we have a way we do things that works. And so when people come in and get involved in issues and they're not of that process, it creates risk.

Q And what did she say to you about Rudy Giuliani?

A She mentioned that Gordon talked with Rudy, and she mentioned that she stayed away from any conversation with Rudy and that I would be wise to do the same.

Q And we'll get to Burisma in a minute, but did she mention anything else, other than Burisma, in connection to what Rudy Giuliani's interest in Ukraine was?

A She mentioned Rudy -- and I should say clearly for the record that, in some cases, I consider Burisma to sort of be a bucket of issues. Burisma is Burisma the company, Burisma is Hunter Biden on the board, and I sometimes lump together Burisma and the 2016 server in my head, chiefly because they are all issues I tried to stay away from.

Q Why did you try to stay away -- do you recall that she also mentioned in that conversation or subsequent conversation the 2016 election, separate from --

A She mentioned the fact --

Q -- Burisma?

A -- of some -- excuse me.

Q Go ahead.

A She mentioned the fact of some speculation about a server.

Q And did she mention anything about some allegations that Ukraine may have been involved in interfering in the 2016 election?

A She mentioned that there was some concern in some quarters that there was a server that had something to do with the 2016 election, but it was all fairly unknown to me.

Q And why did you want to stay away from this bucket that you describe as Burisma?

A I deemed it appropriate to follow Dr. Hill's counsel to do so.

Q And what was the reason that she gave you to do so?

A Because it had nothing to do with our policy process.

Q Can you explain how or why?

A We were chiefly involved in issues related to -- in the Ukraine process, we were chiefly involved in issues related to managing the new Ukrainian Government, working with them to cement their reform agenda, working with them on security, working with them on a dozen other projects that are beyond the scope of today's proceeding.

Q Did you come to learn about a July 10th meeting at the White House with Ambassador Bolton, Ambassador Sondland, Volker, other American officials, as well as Ukrainian officials?

A No.

Q Dr. Hill didn't tell you about that meeting at all?

A No.

Q And you didn't attend it?

A No.

Q So, by the time she left, you were not aware of this meeting that had occurred?

A No.

Q Okay.

Prior to the July 25th call, did you have any sense as to whether Ambassador Sondland was speaking with any Ukrainians directly?

A Yes. I think that was part of the handoff conversations that Dr. Hill and I had and part of why she expressed concern about him acting outside of the normal process.

Q Okay. When you had these transition meetings with Dr. Hill -- and, by the way, how many were there, do you know, related to Ukraine?

A I think Ukraine probably -- there were probably three meetings, about an hour each. Ukraine came up in two of the meetings.

Q And do you recall when?

A When the meetings occurred?

Q Right.

A Between July 1 and July 15.

Q Okay.

Did Dr. Hill discuss with you the possibility of a White House meeting between President Zelensky and President Trump?

A Yes.

Q What did she say to you about that?

A It was on a list of meetings that we were tracking, head-of-state meetings, other important meetings that would involve the President. We called them schedule proposals. So, here's what's pending.

Q In your conversation with Dr. Hill about a potential White House meeting for President Zelensky, did she discuss at all Ambassador Sondland's role or Rudy Giuliani's role in setting up that meeting?

A No.

Q Did she indicate to you at all whether there were some rumblings about pursuing the bucket of Burisma investigations in order to get a White House meeting?

A No.

Q So after July 15th and prior to July 25th, let's focus on that timeframe for a minute. When did you become aware that there was the possibility of a phone call between President Zelensky and President Trump?

A Fairly early. I'd have to recall exactly when the Ukrainian Rada election occurred, but we were watching it closely. We expected President Zelensky's party, the Servant of the People, to do well. We did not expect it to do as well as it did. It obtained a clear mandate, a clear majority. And we wanted Ukraine -- we wanted there to be a phone call -- similar to the phone call the President placed to congratulate President Zelensky for his own election, we wanted there to be a phone call to congratulate President Zelensky for his decisive victory.

Q When you took over this role, did you go back and review the transcript of the April 21st call?

A No.

Q Did you get a readout or any information about that call?

A No.

Q So how do you know that it was congratulatory?

A Because that was the purpose of the call that was described to me.

Q So someone did describe it to you?

A I was aware that there was a call. I never got a debriefing. I never read the MEMCON of that package.

Q Did someone just describe to you generally what happened?

A It was described to me that the call occurred, it was a congratulatory phone call on his election.

Q When you said we wanted to set up a congratulatory phone call, who do you mean by "we"?

A My office, my directorate.

Q Did you ever speak to Ambassador Bolton specifically about a phone call between Zelensky and Trump?

A Yes.

Q What did Ambassador Bolton say to you about that possibility?

A That he was working on it.

Q Was there some discussion as to whether it would be before the election or after the election, as far as you know?

A No.

Q By the time you got there, it was always going to be after the parliamentary election?

A Yes.

Q To your knowledge, was there any difficulty in setting up this call?

A No.

Q Was it set up, as far as you know, through normal channels?

A Yes.

Q Do you know whether Mr. Giuliani had any discussions with anyone about setting up a call?

A No.

Q Do you know whether Ambassador Sondland had any discussions with anyone in the Chief of Staff's office or the President about setting up this call?

A Yes.

Q What do you know about that?

A Which?

MS. VAN GELDER: I don't think that his conversations with the President he can talk to.

MR. GOLDMAN: About Ambassador Sondland's conversations with the President?

MS. VAN GELDER: I'm going to say if he knows about it, if he was there, he can't talk about it. If he was told by Ambassador Sondland, he can talk about it.

If you could repeat the question, maybe we can get through it another way.

BY MR. GOLDMAN:

Q I'll break it out. Do you know whether Ambassador Sondland spoke with Mick Mulvaney or anyone in Mick Mulvaney's office about a call?

A No.

MS. VAN GELDER: Which call?

BY MR. GOLDMAN:

Q A potential call with President Zelensky, what ultimately became 7/25.

A No.

Q Do you know whether Ambassador Sondland spoke to President Trump about it?

A I know that Ambassador Sondland told me he spoke to the President about it.

Q And when did he tell you that?

A The morning of July 25th.

Q And so can you describe the conversation that you had with Ambassador Sondland the morning of July 25th?

A Ambassador Sondland emailed me and several other White House staff to inform us that he had spoken to the President that morning to brief him on the call.

Q And did he explain to you what he told the President in that briefing?

A The conversation was entirely over email. He sent me an email listing three topics that he was working on, the first of which was "I spoke to the President this morning to brief him on the call."

Q And so he didn't give any more description as to what his briefing was?

A The conversation was exclusively over email.

Q I understand, but in the email he didn't explain any more --

A That was the extent of what he said about the Ukraine call.

Q Okay.

And do you know if President Trump was prepped through the normal NSC process?

A I know we provided him the regular call package.

Q Did Ambassador Bolton ever express any reservations to you about a call between President Trump and President Zelensky?

A No.

Q Prior to this call, did you have any discussions with Ambassador Bolton yourself about this alternative process with Sondland and Giuliani?

A No.

Q Did Dr. Hill brief you at all on Ambassador Bolton's views about Sondland or Giuliani?

A Could you restate and be more specific?

Q In your transition meetings about Ukraine with Dr. Hill, did she relay to you what she understood to be Ambassador Bolton's opinion of Mr. Giuliani?

A No.

Q And how about Mr. Giuliani's role as it relates to Ukraine?

A No.

Q So, prior to this call on July 25th, you were unaware, either from direct conversations or conversations with other people, about any reservations Ambassador Bolton had about the Ukraine situation?

A That is correct.

Q Okay.

Were you present when the President was prepped for this call?

A No.

Q Do you know if he was orally prepped for it?

A No.

Q Do you know whether Ambassador Sondland or -- well, withdrawn. When did you first learn about Kurt Volker's role with Ukraine?

A During the transition meetings with Dr. Hill.

THE CHAIRMAN: If I could just clarify, Mr. Goldman.

Mr. Morrison, you mentioned that either you or others prepared a regular call package in anticipation of the July 25th call. Is that right?

MR. MORRISON: Correct.

THE CHAIRMAN: And that would've been the recommendations of the NSC as to what should take place on the call or to help prepare the

President for the call?

MR. MORRISON: Yes.

THE CHAIRMAN: And I take it that the Burisma bucket of issues that you described was not mentioned anywhere in that call package?

MS. VAN GELDER: He can't talk to what was in the call package.

THE CHAIRMAN: Well, I'm asking what was excluded from the call package.

You said you wanted Mr. Morrison to avoid that whole bucket of issues. I take it that bucket of issues was not part of the official call package to the President.

MS. VAN GELDER: I'm going to instruct him not to answer that question.

THE CHAIRMAN: Mr. Morrison, I need to inform you and your counsel, the White House has not invoked any privilege. They had the opportunity, knowing of your testimony, to convey to the committee that this question or that question or this conversation or that question was privileged. They have made no such representation to the committee, nor have they sought to obtain an opinion from the Justice Department that anything that we're asking about is privileged.

So we don't recognize any potential future invocation of privilege in this committee, and you are instructed to answer the question.

MS. VAN GELDER: I'm going to instruct him not to. I will just basically say we are taking our guidance from the U.S. District Court's decision in U.S. v. Miers. We believe that there is a presumptive

Presidential privilege. It is not his to waive. It is not his to answer.

If the committee desires to go to the court, as Judge Bates said in the Miers case, it is a question-by-question matter, then we will answer it. But we have been put in an awkward position, at most, in which the burden of noncompliance is on the individual.

So I say this with all due respect, sir. I do not want to have either him or I in contempt, but I also recognize that this is a man with an ongoing security clearance and that, you know, if we can get this later, you can deal with it, we can go around it, maybe we can work it out. But for this moment, I would respectfully ask you if you could table that and go back and get to the other issues which he can talk. Then we can maybe, during a break, talk about it. But at this point, it's a hard stop.

THE CHAIRMAN: We will -- let's do this. Let's during a break see if we can do a workaround. But I do want to say for the record, while it is not the witness's position to waive a privilege, it is also not his position to assert the privilege on behalf of the White House.

MS. VAN GELDER: Right. We're not asserting privilege. We are just directing him not to answer it.

THE CHAIRMAN: And therein lies the problem.

MS. VAN GELDER: Yes, I know.

THE CHAIRMAN: Well, we'll come back to this, and hopefully we can do a workaround. If this was not part of the call package, it seems to me there is no potential privilege involved here, but we can discuss that during a recess.

Mr. Goldman.

BY MR. GOLDMAN:

Q So I was asking you about Ambassador Volker, who was the Special Envoy for Ukraine negotiations. But when did you learn that Ambassador Volker was also involved in broader Ukraine issues?

Let me phrase it this way: When did you learn that Ambassador Volker was involved in issues separate from the conflict in the eastern part of Ukraine?

A It would've been in one of my conversations with Ambassador Taylor.

Q And when was your first conversation with Ambassador Taylor after July 15th?

You may consult with your attorney. I mean, you are free to refresh your recollection with any document that you wish to look at.

[Discussion off the record.]

BY MR. GOLDMAN:

Q We'll move on. I guess the question is, did you speak with Ambassador Taylor, do you know, before the July 25th call?

A To the best of my recollection, my initial conversation with Ambassador Taylor was to provide him what I thought was an appropriate out-briefing on the call.

Q So you didn't speak to Ambassador Taylor before the call?

A Not that I can recall.

Q Did you speak with Ambassador Volker before the call?

A No.

Q Did you speak with Ambassador Sondland before the call?

A Can you be more specific?

Q Speak on the phone or in person.

A On any topic?

Q No. Sorry. On Ukraine issues.

A I believe so.

Q When did you speak to him? Or -- sorry. Let's just do it this way. The specific date doesn't matter as much as: Did you speak to him between July 15th and July 25th?

A Yes.

Q And can you describe what that conversation was about?

A So we had an initial discussion, sort of an introduction, before I officially took over, where we just generally had an introductory conversation.

We had a phone conversation not long after I took over, and while we were planning the call, to discuss what I knew, essentially. He was asking, did I have any visibility on when a call might occur.

Q And how did you respond?

A I told him where I understood it to be; we were trying to schedule it. I -- yeah. I mean, we just generally -- "Do you know when the call will occur?" I placed inquiries in our process to figure out where the request for the call was, and I informed him of what I knew.

Q Did he say anything to you about conversations -- during that phone call, did he say anything to you about conversations he was having with any Ukrainian officials?

A Not that I recall.

Q Do you know whether he spoke to any Ukrainian officials before the call?

A The only recollection I have of that fact is based on what I have reviewed in the testimony.

Q Okay. And did the testimony refresh your recollection?

A To the best of my recollection, it was the first I learned of some of these engagements.

Q Okay. That's a different answer.

Were you aware of whether Ambassador Volker was in touch with any Ukrainian officials about the call prior to the call?

A No, I don't believe I was.

Q All right.

Were you aware that Dr. Kupperman had a call with Oleksandr Danylyuk on July 20th?

A On July 20th? No.

Q Or around that time?

A No. But I was on travel pretty much immediately after taking over on July 15th.

Q Okay.

So you helped to prepare those, sort of, typical talking points for a Presidential call? And I say "typical" in the sense that that's the normal process.

A We have a formal package. We are very process-oriented; everything has a template. We completed the template.

Q And, at that point, you had already determined that you wanted to stay away from the Burisma bucket of investigations. Is that right?

A I was advised to do so by Dr. Hill during our transition conversations, yes.

Q And did you follow that advice?

A Yes.

Q So let's -- in reviewing open-source information today, did you review any text messages that have been released related to this issue?

A Yes.

Q Did you review a text message from -- one second.

[Discussion off the record.]

BY MR. GOLDMAN:

Q Did you review a text message from Kurt Volker to Andrey Yermak where Volker said, quote, "Heard from White House. Assuming President Z convinces Trump he will investigate/'get to the bottom of what happened' in 2016, we will nail down date for visit to Washington. Good luck"? Did you --

A Yes.

Q -- read that one? You were not aware of this back-channel efforts by Ambassador Volker? Is that what your testimony is?

A At what point in time?

Q At this point.

A In the lead-up to the call on July 25?

Q Right.

A No.

Q And prior to reading about it in the news, did you become aware of --

A Yes.

Q Okay. When did you become aware?

A I can't recall exactly, but it was something that Ambassador Taylor brought to my attention.

Q Okay. In the July 28th call you had with him?

A No.

Q All right.

Let's get to the July 25th call. Where did you listen to the call?

A The White House Situation Room.

Q Who else was in the Situation Room with you?

A To the best of my recollection, Rob Blair from the White House Chief of Staff's office, [redacted] from NSC Press, Alexander Vindman from my office, Jennifer Williams, and General Keith Kellogg from OVP.

Q Was Dr. Kupperman there?

A He was not in the Situation Room.

Q Do you know whether he was listening to the call elsewhere?

A I have been informed, based on review of open-source material after the fact -- and I can't speak to its veracity -- that he was.

Q But you didn't learn from him directly at that point?

A No.

Q Do you know whether Secretary Pompeo joined the call?

A I've learned from open-source reporting after the fact that Secretary Pompeo's counselor was listening to the call on a drop line, but I can't independently vouch for that fact.

Q Okay. Well, let me ask you this question: Do you know whether any other American officials were listening to the call who were not in the Situation Room?

A Yes.

Q Who?

A WHSR personnel who prepare the MEMCON package.

Q What personnel?

A Sorry. White House Situation Room.

Q Okay. They're the ones who prepare the summary of the call that has been released?

A They prepare the original input to the MEMCON package that we then review.

Q Okay.

To your knowledge, did President Trump follow the talking points that you had prepared for him?

A On advice of counsel, I can't answer that question.

Q Okay. Sorry. I'm just pulling up your -- Mr. Morrison --

A I would like to clarify, I was not the sole author of the briefing package. I was the final reviewing authority.

Q Understood. Who was the other -- who was the primary author?

A Alex Vindman.

Q So, as you were listening to the call, did there come a time when you became concerned about anything that you heard?

A Yes.

Q And what do you recall being the first time -- for the first moment that you were concerned, what was the subject that concerned you?

A So I was concerned about how President Zelensky was talking to President Trump. I found it obsequious. I heard issues related to the server. And I was concerned that Dr. Hill was correct about this parallel process. And I grew concerned that the call was not the full-throated endorsement of the Ukraine reform agenda that I was hoping to hear.

Q What language did President Zelensky speak?

A I recall him speaking sort of chopped English, but he also had a translator.

Q Meaning that he also spoke Ukrainian?

A Yes.

Q Okay. Do you speak Ukrainian?

A No.

Q You said that when you heard the server mentioned that confirmed the concerns of Dr. Hill -- or, sorry, that concerned the alternative process of Dr. Hill, what do you mean by that?

A It merely provided confirmation of the concerns Dr. Hill raised about this parallel process that was completely new to me. This is one of the topics she advised was in that parallel process.

Q And did it concern you because this was now the President of the United States promoting those alternative views?

A My primary concern was I was focused on -- I was waiting for the President to talk a little bit more forward-leaning -- with a little bit more of a forward-leaning endorsement of the Zelensky reform agenda.

Q Okay, but you specifically said that the server confirmed for you that there was an alternative process that was -- but I guess you knew there was an -- or you had been told there was an alternative process. What was your concern hearing President Trump?

A I was not directly aware of it. I was not directly aware of it firsthand, personally, until that point.

Q Got it.

Do you recall in the moment when President Trump started talking about Ambassador Yovanovitch?

A I recall -- I don't think he mentioned her name, but I recall him making an oblique reference that I later understood was Ambassador Yovanovitch.

Q And did you have an immediate reaction to that?

A No.

Q Do you recall hearing him mention Bidens?

A Yes.

Q And what was your immediate reaction to that?

A Again, it was more confirmation of what Dr. Hill had informed me was out there.

Q You said that an NSC Legal -- no one from the NSC Legal Advisor's Office was in the room but that you promptly went to see the NSC Legal Advisor and his deputy to -- or you asked them to review it. Who are you referring to, with the NSC Legal Advisor and the deputy?

A The NSC Legal Advisor is John Eisenberg. His deputy is Michael Ellis.

Q How promptly after the call did you ask them to review it?

A It was fairly contemporaneous. It was -- I don't recall if it was the first thing I did after the call, but it was fairly short order.

Q And why did you go to speak to them to ask them to review it?

A Originally -- so my initial concern was, as I said in my statement, there was nobody from the Legal Advisor's Office on the call. I wanted them to have eyes on it. I didn't want it to fall to one of their deputies, one of the line attorneys. I wanted them to put eyes on it.

Q Why?

A Because I was concerned about whether or not they would agree that it would be damaging for the reasons I outlined in my statement if the call package -- if the call MEMCON or its contents leaked.

Q So your primary concern after this call occurred was that it would leak?

A Yes.

Q You weren't -- I understand that you didn't think that it was illegal, but did you think that it was appropriate or proper?

A Did I think what was appropriate or proper?

Q President Trump's conversation. Do you think that President Trump's words were proper?

A I did not have a view on that.

Q Okay. So you were just concerned that it would leak. And you were concerned that it would leak you gave for three reasons in your opening statement. The first is how it would play out in Washington's polarized environment. So is another way of saying that that you were concerned about the political implications of that?

A I was concerned about how the contents would be used in Washington's political process.

Q Because you thought it would look poorly on the President?

A Well, I mean, it's really the three reasons I outlined. It was, I was concerned about how it could be used. I didn't necessarily fully understand how everybody could use it, but I was concerned that it would wind up politicizing Ukraine. I was concerned that that would, in turn, cost bipartisan support. And I was concerned about how the Ukrainians would internalize that.

Q Well, the Ukrainians were obviously on the call.

A Yes.

Q So what was your concern about them?

A Well, there's one thing for what they hear firsthand from the President; there's another thing for how that then gets used in the political process.

Q But you weren't concerned what they heard about firsthand. You were just concerned about what they would hear in the political process?

A Yes.

[9:10 a.m.]

BY MR. GOLDMAN:

Q Why were you more concerned about the political process rather than what they heard from the President of the United States?

A I can't speak to that. I'm simply retelling you what I was worried about when I heard the call and why I went over and talked to the Legal Advisor.

Q Why can't you speak to that?

A I'm trying to relate to you what I thought at the time. This is what I thought at the time as I related it in my statement.

Q Right. I understand what you said in your statement. I'm curious, though, that you were concerned about the effect on Ukrainian perceptions of a leak, but you were not concerned about Ukrainian perceptions from the content of the conversation?

A Correct.

THE CHAIRMAN: Did you have anything you wanted to add?

MR. MORRISON: No, sir.

THE CHAIRMAN: Okay. I just wanted to follow up a bit on this. One of the concerns, and there may be an overlap between the first two concerns you mentioned about the call, and if the call became public. First, you said you were concerned how it would play out in Washington's polarized environment and, second, how a leak would affect bipartisan support for our Ukrainian partners.

Were those concerns related to the fact that the President asked his Ukrainian counterpart to look into or investigate the Bidens?

MR. MORRISON: No, not specifically.

THE CHAIRMAN: So you didn't think that the President of the United States asking his counterpart to conduct an investigation into a potential opponent in the 2020 election might influence bipartisan support in Congress?

MR. MORRISON: No.

THE CHAIRMAN: And you weren't concerned that the President bringing up one of his political opponents in the Presidential election and asking a favor with respect to the DNC server or 2016 theory, you weren't concerned that those things would cause people to believe that the President was asking his counterpart to conduct an investigation that might influence his reelection campaign?

MR. MORRISON: No.

THE CHAIRMAN: That never occurred to you?

MR. MORRISON: No.

THE CHAIRMAN: Did you recognize during the -- as you listened to the call that if Ukraine were to conduct these investigations, that it would inure to the President's political interests?

MR. MORRISON: No.

BY MR. GOLDMAN:

Q Did the President's discussion of CrowdStrike, the server, and the Bidens, was that consistent with what you understood to be U.S. official policy towards Ukraine?

A No.

Q Did you have any further conversations with John Eisenberg or Michael Ellis about this call?

A Subsequent to when I talked to them on the 25th, did I have additional conversations with them about the call?

Q Yes.

A Yes.

Q When was the next conversation that you had?

A It may have been later that day.

Q Okay. And had they reviewed the call transcript by the time you had your second meeting -- or the preliminary --

A Yes.

Q -- transcript? And what was the purpose of that second conversation with them?

A I recommended to them that we restrict access to the package.

Q And how did you recommended to do that?

A I recommended that we did not need quite so many people to have access to the package.

Q Did you recommend a specific way to restrict access?

A No, I did not.

Q Why were you concerned about a leak of this call? I'm sorry. Why did you think this call may be leaked?

A Because it's been my experience in government there's very little that doesn't.

Q Had you ever asked for restricted access to any other head of state call that you listened in on?

A Could you restate?

Q Have you listened to other calls between President Trump and foreign leaders?

A Yes.

THE CHAIRMAN: In that regard, Mr. Morrison, were there any other calls that you listened in on where immediately thereafter you went straight to the Office of the Legal Counsel?

MS. VAN GELDER: I'm sorry. You can't answer that. I think that in looking at your subpoena, it's outside the bounds of what he has been subpoenaed to testify about.

THE CHAIRMAN: Well, with respect, Counsel, if this is the only time that he went directly to the legal counsel's office, that would be relevant. If this was a routine practice, that would also be relevant.

Mr. Morrison, can you tell us whether there were any other calls where you went essentially directly from the call to the Office of Legal Advisor?

MS. VAN GELDER: Can he answer the question whether it was routine or --

THE CHAIRMAN: Yes. Let's ask it that way.

Was it routine for you, after a Presidential call that you listened in on, to go to the Legal Advisor?

MS. VAN GELDER: To restrict access, to ask to restrict accesses.

THE CHAIRMAN: No. I'm just asking whether --

MS. VAN GELDER: Okay. All right.

THE CHAIRMAN: -- this was unusual, or your usual practice after listening in on Presidential call to go directly to the legal counsel?

MR. MORRISON: Not to the best of my recollection.

THE CHAIRMAN: I just want to make sure that I'm understanding your answer.

To the best of your recollection, this was unusual?

MR. MORRISON: Sir, I'm trying to be careful in my answer in terms of I don't want to say something that I subsequently have a different recollection about. I am specifically prepared, for the purpose of today's hearing, on the scope you outlined in your letter. So I specifically looked into what I did with respect to the July 25th phone call. There were other calls I listened in to. I did not invest any time in attempting to recall everything I did about those calls.

THE CHAIRMAN: No, I'm not asking about everything that you did with respect to other calls. Let me ask you this way: Was it your practice to go immediately to the legal counsel's office after you listened in on Presidential calls or was this unusual?

MR. MORRISON: It was not my practice.

THE CHAIRMAN: Mr. Goldman.

BY MR. GOLDMAN:

Q Have you ever asked the legal counsel to restrict access on any other Presidential phone call?

A Could you restate the question?

Q Had you ever asked the Legal Advisor --

A No.

Q -- to restrict access? The answer is no.

Do you recall whether the White House released a readout of this call?

A Yes.

Q It did? The White House did, publicly?

A A press readout after the call? No, I guess I don't recall.

Q You prepared one, though?

A Yes.

Q Was that prepared in advance of the call?

A Yes.

Q Did it have to be changed after the call?

A It was -- it may have been. It was not uncommon for us to adapt a prepared statement for what actually transpired on the call.

Q Understood. But do you recall specifically whether you had to change the press release or read public readouts?

A I don't recall specifically.

Q Was that a pre-prepared press release based on the talking points that you and Lieutenant Colonel Vindman had prepared?

A Our process is to coordinate with NSC press to prepare a statement to issue after a call based on, yes, what we expect to come up in the call.

Q Going back to your conversations with the Legal Advisor, just to recap, you asked them to restrict access. Did you say anything else to them about the call?

A I asked them to take a look at the call, because I didn't see anybody from their office on the call.

Q That was in the first conversation?

A Correct.

Q The second conversation?

A I recommended that we restrict access to the package.

Q And did you say anything else about the substance of the call --

A Not that I recall.

Q -- to them? Did you speak to both Eisenberg and Ellis the second time?

A I believe so.

Q And who responded to your request to restrict access that you recall?

A Who responded?

Q Yes. Ellis or Eisenberg?

A It was an in-person conversation. I don't recall which of them spoke.

Q Okay. What was their response?

MS. VAN GELDER: I'm going to ask you for this one --

MR. MORRISON: They agreed.

MR. GOLDMAN: Did they indicate to you whether they had spoken to anyone else about the call?

MS. VAN GELDER: That --

MR. GOLDMAN: The fact of the conversation is not privileged.

MS. VAN GELDER: I agree with you on that. If you go farther, you're right. I was premature, and I withdraw my objection.

BY MR. GOLDMAN:

Q Did they indicate whether they had spoken to anyone else?

A Yes, I understood they did.

Q Who?

A The NSC Executive Secretariat.

Q Was that in connection to your request to restrict the access?

A Yes.

Q And did they speak -- do you know if they spoke to anybody else who listened to the call?

A No.

Q Did you have an opportunity to review the transcript to make edits based on your notes?

A I wouldn't agree it was a transcript.

Q Understood. Sorry. How would you like to describe it?

A A MEMCON package.

Q A MEMCON package. Did you review the MEMCON package in order to make any edits based on your notes?

A I reviewed the package. I do not recall making any edits.

Q But the purpose of the reviewing the package was to review your notes and make any edits that you deem necessary?

A Yes, but it's also to review the original speech-to-text translation of the call.

Q And by the time that you reviewed it, had the transcript already diverted from the normal procedures?

A No.

Q At some point did you become aware of whether it was put into the highly classified [redacted] system?

[Discussion off the record.]

MR. MORRISON: I don't want to acknowledge the terms for the systems, but yes.

BY MR. GOLDMAN:

Q We will just talk about a highly classified system.

And were you ever provided with an explanation for why it was placed in the highly classified system?

A Yes.

Q What was the explanation you were given?

A It was a mistake.

Q It was a mistake?

A Yes.

Q Who told you that?

A John Eisenberg.

Q When did he tell you that?

A It would have been in the course of preparing the President for the meeting between himself and President Zelensky in Warsaw.

Q How did that conversation come up?

A Because I tried to gain access to the package.

Q And what happened when you tried to gain access?

A It was no longer in the portal.

Q And what did you do next?

A I figured out where it was.

Q How?

A By talking to the Executive Secretariat staff.

Q And it turned out that it was in this highly classified system?

A Yes.

Q And Eisenberg told you it was a mistake to have been put it there?

A The Exec-Sec staff related that they believed they were instructed by John Eisenberg to put it on that system.

Q And so whose mistake was it to put it on the system?

A Their mistake.

Q So, just to be clear, John Eisenberg said to the Executive Secretary -- said that Executive Secretary made a mistake by putting it on the highly classified system?

A Yes.

Q And this was after John Eisenberg had told you that he agreed that access would be restricted?

A Yes.

Q Are you aware of any other Presidential phone calls that were put on the highly classified system?

A I have no firsthand knowledge of that.

Q To your knowledge, there was nothing in this MEMCON that would meet the requirements to be put on a highly classified system, correct?

A Correct. Sorry.

Q Did you have any further discussions with John Eisenberg about removing it from the highly classified system?

A Yes.

Q Describe what -- that conversation.

It is not privileged.

MS. SEWELL: [Presiding.] I just want to remind the attorney that it is important that you speak into the mike --

MS. VAN GELDER: Oh, I'm sorry.

MS. SEWELL: -- so that it can be transcribed. Thank you.

MR. CASTOR: When you confer with your client, why don't you turn the mike off?

MS. VAN GELDER: Did you hear what I said, Steve?

MR. CASTOR: I did not.

MS. VAN GELDER: Thank you.

MS. SEWELL: But at any rate, formally speaking into the mike when transcribed.

MS. VAN GELDER: We have a height difference here.

MS. SEWELL: Gotcha.

MS. VAN GELDER: In an effort to continue this, can he speak in a general term and then if you want to follow up?

MR. GOLDMAN: Sure.

MR. MORRISON: Could you repeat the question?

BY MR. GOLDMAN:

Q So describe, generally, the conversation that you had about

John Eisenberg about after he said it was a mistake and whether there was any discussion about moving it out of that system.

A So when we -- if we're still on when we were trying to gain access to it to prepare the President for the planned Warsaw meeting, it was, how did it get on there. John related that he did not ask for it to be put on there, but that the Executive Secretariat staff misunderstood his recommendation for how to restrict access.

Q So he understood that he had told the Executive Secretary staff to restrict access, that much he acknowledged?

A He acknowledged -- he agreed with my recommendation and he had also informed the Exec-Sec staff to restrict access.

Q What other ways would there be to restrict access?

A You have to understand the portal system. You can assign access to any particular package on, really, any topic to an entire distribution list for an entire directorate, like my directorate, the EUR directorate, or you can, by name, assign access.

Q And just to be clear, you did not ask for this MEMCON to be placed on this highly classified system?

A I did not.

Q Okay.

MR. GOLDMAN: I think our time is up, so we yield to the minority.

MS. SEWELL: The minority will have 1 hour.

MR. CASTOR: Thank you.

BY MR. CASTOR:

Q When you mentioned to John Eisenberg your concerns about the memo leaking, did you have any idea what might be implemented other than put it on the highly classified system?

A I had in mind that we would by name -- that we would restrict access to by name access.

Q And that can be done on the system that's not highly classified?

A That's correct. That's the function of the Exec-Sec personnel.

Q Okay. Did you have any -- you talked about two communications you had with Eisenberg, Ellis. Any others about that referred or related to the 7/25 call?

A So, in the course of preparing Ambassador O'Brien for the -- what became the POTUS-Zelensky meeting at the U.N. General Assembly, we again sought access and it was again still restricted. So I recall talking to John at that time of, John, did we ever figure out how to get this thing moved down?

Q Did Eisenberg or Ellis ever approach you about other concerns that were raised to them by other people?

A Based -- I'm going to be clear -- based on the July 25 call?

Q Correct.

A No.

Q Did you know if anybody else listening to the call --

A -- ever, ever? Not to the best of my recollection.

Q Okay. Do you know if anyone else on the call went to Eisenberg to express concerns?

A I learned based on preparing for today's proceedings, based on open-source reporting, which I have no firsthand knowledge, that other personnel did raise concerns.

Q Who?

A Based on the open-source reporting, without firsthand knowledge, Alex Vindman on my staff.

Q And he reports to you, correct?

A He does.

Q Did you find it unusual when you learned that that your direct report went to Mr. Eisenberg?

A Unfortunate, but not unusual.

Q Can you explain that?

A My predecessor had a different style for managing her staff than I do.

Q And what was that style?

A She did not have the same view of how reporting through the chain of command should work.

Q Okay. So it was your expectation that people who reported to you ought to keep you in the loop about important matters?

A Yes.

Q And so people if people that reported to you needed to go talk with the legal team about concerns they had, you would expect to be kept in the loop?

A Depending upon the issue.

Q Okay. If the issue didn't involve any, you know, sensitive misconduct or employee issues?

A Yes.

Q So, if it is official business, you would expect to have a conversation with your direct reports before communicating with the lawyers?

A Yes.

Q And it wasn't until -- at what point did you learn that Lieutenant Colonel Vindman went to Mr. Eisenberg?

A About the July 25th phone call?

Q Yes.

A In the course of reviewing for this proceeding, reviewing the open record.

Q So relatively recently?

A Yes.

Q So Eisenberg never came to you and relayed to you that conversation?

A No.

Q Ellis didn't either?

A Not to the best of my recollection.

Q The memorandum of conversation that, the MEMCON, you believed it was accurate?

A I believe it was accurate and complete.

Q And in your view, there was nothing improper that occurred during the call?

A Correct.

Q Nothing illegal?

A As I said in my statement, correct.

Q And that you're your only reason for going to legal counsel was because you were concerned about leaks?

A No, there were two reasons. I was concerned about leaks, but I also wanted to make sure that the package was reviewed by the appropriate senior level attention.

Q Okay. Fair enough. Had there been any leaks that you had been aware of that give you concern that these things have been -- you know, that leaks is something to be worried about?

A Yes.

Q Okay. And what can you tell us about other leaks generally?

MS. VAN GELDER: Sorry, Mr. Castor. I'm not going to have him go beyond the scope of his testimony here today.

BY MR. CASTOR:

Q But there have been enough leaks that you had a generalized concern about that?

A Yes.

Q During the course of the editing process of the MEMCON, were you in the loop with other individuals who supplied or suggested edits to the package?

A I am effectively the final clearing authority.

Q Okay. Were you aware of Colonel Vindman's suggested edits?

A I saw edits in the package made by Colonel Vindman and others.

Q Okay. Do you remember what Colonel Vindman's edits were?

A As I recall, Colonel Vindman, being a fluent Ukrainian speaker, was concerned at various points, the translation was not true, was not high fidelity. And so he made edits to try to correct what he heard. And in the course of these reviews, based on how these packages are created, it's not uncommon, especially when you're dealing with a foreign language like Ukrainian and foreign language terms, to have to correct things.

Q Do you remember if all his edits were incorporated?

A I accepted all of them.

Q Okay. To the extent he believes edits weren't accepted, do you know how that could have occurred?

A I do not.

Q Any other edits from other individuals that supplied edits, listened to the call, but were not implemented --

A Not that I can recall.

Q -- to your knowledge? So is your practice as the final clearing authority to accept the edits if you had a contemporaneous agreement with what occurred?

A Yes.

Q Okay.

MR. CASTOR: Can you make as exhibit 1 the call record or the MEMCON?

[Minority Exhibit No. 1
was marked for identification.]

BY MR. CASTOR:

Q Here is exhibit 1. Here are a couple of extra copies if you want to mark it up.

I'm going to refer you to page 4. The last line of the first paragraph ending in, "So if you can look into it... it sounds horrible to me." Do you recall if anybody offered edits to fill in the gap there for the ellipse?

A I do not.

Q And would an ellipse ordinarily, in your experience, mean what?

A That this is a conversation and it doesn't necessarily occur in complete sentences.

Q Okay. So the ellipse could mean that the speaker trailed off without finishing a sentence?

A It could.

Q Could it mean anything else?

A That's the most commonplace meaning. Usually if something is said that is inaudible, we would note in brackets "inaudible."

Q Okay.

Then I want to refer you to the very next paragraph. I think it is the seventh line down, sixth line down, as the sentence reads: He or she will look into this situation, specifically to the company that you mentioned in this issue -- and this is President Zelensky speaking.

Do you remember if anybody supplied edits to this part of the MEMCON?

A I do not.

Q Okay. And you were on the call. Do you remember whether the name Burisma came up on the call?

A No, I don't believe it did.

Q Okay. Do you remember whether anyone suggested edits adding the word Burisma to the MEMCON?

A I do not.

Q Okay. But if somebody had suggested that edit, was on the call, and your contemporaneous recollection that the word was mentioned, you would have gone ahead and implemented the edit?

A Had I recalled or had in my notes that was mentioned, yes, I would have agreed to the edit.

Q Did you have any conversations, emails, communications with Dr. Kupperman about this call?

A Not that I recall.

Q Okay. Anybody else on the call or your chain of command that you spoke with about the call?

A Beyond those I've already mentioned?

Q Yes.

A No.

Q And with those that you've mentioned, did you have any communications with them about concerns, about the content of the call?

A Within my chain of command?

Q Within either the people on -- on the call and you mentioned Blair, [redacted], Vindman, Williams, Kellogg, and then your chain of command would be Dr. Kupperman, Ambassador Bolton.

A Uh-huh.

Q So that's sort of the universe I'm thinking about here.

A Uh-huh.

Q And also Mr. Eisenberg.

A Uh-huh.

Q Did you have any communications with any of that group about concerns, whether they were your concerns or anyone in that group's concerns?

A My only recollection of discussing concerns was with John and Michael.

Q Okay. And it was about the leak issue?

A Yes.

Q During the July 25th call, you're in the Situation Room, the -- I think you referred to them as the WHSR staff?

A Yes.

Q How many officials prepare the -- I'm going to say transcript -- that's not the right term, as I understand it, but how many Situation Room officials are transcribing the call?

A I don't know.

Q Do they do the -- their work in a different room?

A Yes.

Q So it is an anteroom off the Situation Room?

A It's more appropriate to think of the Situation Room as a large facility of which the listening room is a small private conference room.

Q So they are in another part of the Situation Room complex?

A Yes.

Q Do you know how they prepare their transcript? Do they have court reporting type devices, or do they speak into a microphone?

A I have no firsthand knowledge. My knowledge of how they do it this is limited to what I have observed -- what I have read in reporting in preparation for today exclusively.

Q Okay. From your experience of MEMCONs generally, are they considered accurate among those in the building?

A Could you restate or be more specific?

Q Are MEMCONs, within the building, within the NSC generally considered definitive documents?

A We do our best to adhere to the Presidential Records Act.

Q Okay. So --

A It should be a complete and accurate retelling of the conversation.

Q Okay. And have there any been any episodes where you can remember where people were --

MS. VAN GELDER: He's not going to answer that.

Mr. Castor, and just for the record the basis is it is outside the scope of this inquiry.

MR. CASTOR: Okay.

BY MR. CASTOR:

Q Did you subsequently have a conversation with Ambassador Taylor about what occurred on the July 25th call?

A Yes.

Q And do you remember when that was?

A I remember reaching out to Ambassador Taylor to that day to find out when we could schedule a secure call so I could provide him what I deemed an appropriate readout of the call.

Q Okay. And when did that occur?

A Um --

Q To the best of your recollection.

A So I think Ambassador Taylor's statement is generally about the right timeframe for when we were able to get on a secure call together.

Q Okay. And what do you remember relating to Ambassador Taylor about the call?

A As I said in my statement, I think his -- his statement is generally correct. I gave him a general readout of the call, and I told him I think it could have gone better.

Q And why did you think the call could have gone better?

A As I said in my statement, and subsequent to that in answering questions today, I was hoping for a more forward leaning embrace of President Zelensky's reform agenda from the President.

Q In the course of your duties, what other officials did you provide a readout to about the call? Were there any other interagency partners that you had to brief? Anybody at the State Department?

A Not that I recall.

Q Okay. So including Ambassador Taylor, we sort of identified all of the folks you spoke to about the call during the time period?

THE CHAIRMAN: If I could interject here and counsel warned about this at the initiation of the hearing. We want to make sure that there is no effort to try to, by process of elimination, identify the whistleblower. If you think these questions are designed to get at that information, or may produce that information, I would encourage you to follow your counsel's advice.

[Discussion off the record.]

MR. MORRISON: Could you repeat the question?

BY MR. CASTOR:

Q Just wondering if you had any other communications about the call?

A Not that I -- not that I can recall.

Q Colonel Vindman, he reports to you. What types of officials in the course of his duties would he be responsible for providing readouts to?

[Discussion off the record.]

MR. MORRISON: He -- he may have felt it appropriate to speak to other departments and agencies if they had questions about the call.

BY MR. CASTOR:

Q Do you know if he did?

A Yes.

Q And who -- do you know who he spoke to?

MS. VAN GELDER: I'm not going to allow him to answer that, it is beyond the scope of this inquiry.

MR. CASTOR: How is that, we're talking about the 7/25 call, just asking if he knew who Lieutenant Colonel Vindman provide readouts to.

MS. VAN GELDER: Yes. And he is to talk about his knowledge with respect --

MR. CASTOR: Well, I'm not asking him to testify about something he doesn't know about.

MS. VAN GELDER: I'm just saying it is outside the scope of what I believe his testimony is, which is whether President Trump jeopardized U.S. national security by pressing Ukraine to interfere with the 2020 election, and by withholding a White House meeting with Ukraine and military assistance provided by Congress to help Ukraine counter Russian aggression, as well as any efforts it to cover up these matters.

If you would like to ask him if he knows of anybody who has asked to cover up those matters --

MR. CASTOR: Oh, no, I'm just asking about readouts that Vindman, an official who works for Morrison, gave on the call.

MS. VAN GELDER: Mr. Castor, with all due respect, we can talk with counsel as I already have an appointment with Mr. Goldman during the break on how we can maybe work around these.

MR. CASTOR: Okay.

MS. VAN GELDER: But right now I'm going to instruct him not to.

THE CHAIRMAN: And again, I want to express my concern that these questions are designed to try to identify and out the whistleblower. And I would hope that's not counsel's intention. The whistleblower has a right to anonymity. There are public reports that the life of the whistleblower has been threatened. We do not want this committee used, or this testimony used, to try to exact political retribution again the whistleblower. So I would, again, urge caution to both counsel and the witness to avoid anything that presents that risk.

MR. CASTOR: Just so I'm clear, the objection to answering the question is it related to that or is it related to executive privilege?

MS. VAN GELDER: My objection, it is beyond scope of his deposition testimony. His subpoena is related to his letter. His letter does not relate to who Vindman spoke to about a call.

MR. CASTOR: Okay.

BY MR. CASTOR:

Q Can I ask whether you know or don't know, because if you don't know, then this kind of ends this.

MS. VAN GELDER: I think that if the way that -- sorry -- the way the state of the play right now is do you know if he talked to anybody about this?

MR. CASTOR: In his official -- in the course of his official duties, the people he's supposed to be talking to.

MS. VAN GELDER: And he said he may have. He has no firsthand knowledge. I assume that Lieutenant Vindman preceded us and you have your answer.

MR. CASTOR: Okay. I'm just asking if the witness knows. If he doesn't know, that would be the answer.

MS. VAN GELDER: We can talk about this later, Mr. Castor. I really am not trying to --

MR. CASTOR: I'm not trying to --

MS. VAN GELDER: I've worked with you before, I understand. We can talk later.

MR. CASTOR: Do you know if Lieutenant Colonel Vindman had communications with any State Department officials like George Kent?

MS. VAN GELDER: We're not going talk about anybody Mr. Vindman had conversations with.

MR. CASTOR: Okay. Can I ask him about his conversations with Mr. Vindman, or Colonel Vindman?

MS. VAN GELDER: You may. My instruction, again, not by the White House, not by anyone. My instruction based on my reading of the applicable court documents, which were never cited which is U.S. v. Myers is a question-by-question basis.

MR. CASTOR: Fair enough. Just to be clear, like I want to try to get around these things and get as much information as we can in our hour. And we will --

BY MR. CASTOR:

Did you have any communication with Colonel Vindman about the call?

A Yes.

Q How many?

A I -- I can't recall precisely, but --

Q Okay. What do you remember about your communications with Colonel Vindman about the call?

[Discussion off the record.]

MR. MORRISON: Alex and I spoke about the preparation of the package and what we believed needed to be done make the package as true as possible?

BY MR. CASTOR:

Q Did Colonel Vindman express any concerns to you about what happened on the call?

A Yes.

Q What were his concerns?

A He had two namely. He was concerned, as I was, that the call did not get into the subject matter we had hoped. And he had concerns about the fidelity of the translation.

Q And that communication occurred during the course of the preparation of the MEMCON package?

A That communication did, yes.

Q Okay. Did you have any subsequent communications with him?

A Yes.

Q And what's the next time you remember where he raised concerns about the subject of the call -- content of the call?

[Discussion off the record.]

MR. MORRISON: Could you repeat your question?

BY MR. CASTOR:

Q What's the next time you remember talking to Mr. -- Colonel Vindman, or emailing with Colonel Vindman about any concerns he might have had about what happened on the call?

A About concerns he had about what happened on the call?

Q Yes.

A That was the only time I recall him expressing concerns about the content of the call.

Q Okay. Did you have any other communications with him about the call?

A Yes.

Q And what were those?

MS. VAN GELDER: You're not going to talk about that.

BY MR. CASTOR:

Q Was Colonel Vindman on the call you had with Ambassador Taylor?

A No.

Q And was that unusual? Like, if you were going to have a call with the ambassador to one of other countries in your portfolio, would you ordinarily, in the regular course of your duties, include the director with responsibility for that country on that call?

A At this point -- at this point, I was 10 days in to the this assignment. I had been in the office for maybe 4 days, because I had been on travel the first week. And so, I don't know that there was an ordinary at this point. It was my decision to have the conversation one on one with Ambassador Taylor.

Q Okay. Did you give a readout of that call to Colonel Vindman?

A Yes.

Q Okay. And what do you remember relating to Colonel Vindman?

A Just that I briefed Bill. Bill was concerned and that was -- that was effectively -- and it was a brief readout.

Q Okay. Did Colonel Vindman express concerns that he wasn't on the call with you?

A He may have.

Q Okay. In -- we'll get into Ambassador Sondland, your experience with him.

A Yes.

Q When was the first time you met him?

A July 10.

Q And was that before or after Dr. Hill had related to you her experiences with the Ambassador?

A After.

Q And did you -- subsequent to that, did you have regular communications with Ambassador Sondland?

A I don't know about regular, because that speaks to periodicity. But I had -- it was not uncommon for me to have a conversation with Gordon.

Q Did he relate to you that he speaks to the President --

A Yes.

Q -- with some frequency?

A I don't know that he spoke to the frequency.

Q Okay. But it was your understanding that, in his own mind, he believed he had a lot of conversations with the President?

A Yes.

Q And there are times in Ambassador Taylor's statement where he is relating information you conveyed to him that was conveyed to you by Ambassador Sondland?

A Yes.

Q And to the best of your knowledge, you were relating to Ambassador Taylor what you believe Ambassador Sondland related to you?

A Yes.

Q And -- but you're not able to evaluate whether -- what Ambassador Sondland was telling you was accurate?

A Correct.

Q Did you have any concerns that anything Ambassador Sondland was telling you may have been exaggerated or inaccurate?

A Yes.

Q And why is that?

A Fiona's -- Dr. Hill's admonitions and my own read of Ambassador Sondland's sense of self-importance.

Q Okay. Do you think that Ambassador Sondland believed what he was saying, or do you think that he exaggerated intentionally?

A I believed that Ambassador Sondland believed what he was saying.

Q Okay. But if he was relating something that may have fallen in the exaggeration category, you know, he may have just misinterpreted?

A I -- I believe that Ambassador Sondland believed what he was telling me is what he -- is what he thought occurred.

Q Okay. He related to you a number of communications he had with the President?

A Yes.

Q And is there any way to know whether he was actually talking to the President?

A Yes.

Q Okay. And you believe he was?

A I was not able to confirm every time he said he talked to the President, but I did so as often as I had the time to do.

Q Okay. And were there times when he indicated he was talking to the President, when you came to learn he was not?

A No.

Q I want to direct your attention to --

THE CHAIRMAN: Counsel, if I could, I have got to go up to the floor to speak on the resolution on the impeachment process. If there are any disputes about whether questions are appropriate or not appropriate, or should or should not be answered, we can hold those into abeyance until I return.

MR. CASTOR: Okay. I will try to stay out of any of those areas.

THE CHAIRMAN: Thank you, Counsel.

BY MR. CASTOR:

Q I'd like you to turn your attention to Ambassador Taylor's statement that you referenced, page 9, the penultimate paragraph, my concerns have -- about midway through the penultimate paragraph: My concerns deepened the next day sentence.

Ambassador Taylor is relating a telephone conversation he had with you on or about August 22nd. He asked you whether there would be a change in policy in strong support of Ukraine, to which he relates, you responded, It remains to be seen. That's to the best of your recollection, accurate?

A Yes.

Q What else do you remember of that conversation and what you related to Ambassador Taylor?

A So it was not uncommon during this period for Bill and I to check in with each other, among the issues we wanted to ensure we were sync'd on was the timeline for our process to have the aid released, and whether or not there's any reason to believe the Ukrainians had yet become aware of the hold.

Q Okay. And at that point in time, according to your statement, you didn't -- you weren't aware that the Ukrainians knew about the hold?

A To the best of my knowledge, and the best of my recollection of my conversations with Ambassador Taylor and I, neither one of us believed they were yet aware of hold.

Q Okay. And during this time period, did you have a hope that the aid would be released?

A Yes.

Q And did you have an expectation that, in fact, it would be released?

A Expectation? The best I could say is I had a hope.

Q Okay. Just generally, what are the President's views on foreign aid?

A He doesn't --

Q Does he have some skepticism about it?

A Yes.

Q Okay. I think I may have been talking over -- did you say he doesn't like it?

A Generally, he does not.

Q And when foreign aid is going to a country like Ukraine that has a regional significance, and there's other of our allies in the region, does the President often want our allies to also step up their aid contributions?

A Without going on it, I would argue Ukraine's significance is beyond the region, but, yes, he would like to see a European country more supported -- more supported by Europeans.

Q Okay. If the aid were to be permanently, you know, not released, held, not released, there would have to be a process of rescission or reprogramming. Is that correct?

A That's my understanding.

Q Do you know if any officials at OMB or DOD, State Department took any affirmative steps to begin the rescission or reprogramming process?

A At this time, there was a parallel foreign aid rescission process. It was reported that we were considering $4 billion in foreign aid rescissions.

Q Okay.

A To my knowledge, there was no process ever undertaken to seek a reprogramming of the Defense Department or State Department funds.

Q Okay. Was the rescission effort ever related to the Ukraine funds?

A Some of the funds that would have been included in the rescission package, as it has been related to the press, would have touched on funds that could have gone to Ukraine.

Q Could have gone?

A Yes.

Q Okay.

MR. GOLDMAN: Did you say $4 million?

MR. MORRISON: $4 billion.

BY MR. CASTOR:

Q Returning to page 9 of Ambassador Taylor's statement. Ambassador Taylor relates that you told -- you told him that the President doesn't want to provide any assistance at all?

A Yes.

Q And can you help me understand what that meant?

A The President's general antipathy to foreign aid, as well as his concern that the Ukrainians were not paying their fair share, as well as his concern when our aid would be misused because of the view that Ukraine has a significant corruption problem.

Q Okay. In your mind, are the Javelins separate from the security assistance funds?

A Yes.

Q Okay. And were the Javelins in play -- the funds for the Javelins in play at this time?

A So the Javelins, to the best of my knowledge, have always occurred through foreign military sales --

Q Okay.

A -- which is a separate process entirely.

Q Okay. Separate process from USAI?

A Yes.

Q And your understanding at the time of your call with Ambassador Taylor, August 22nd, it was the USAI funds that were --

A No. There were two pots of money, which is why I don't typically speak about security assistance. I speak about security sector assistance, because security assessments -- assistance has a lawful meaning. There were Defense Department funds and State Department funds that were included within the $445 million that had been appropriated by the Congress.

Q Okay. Did you -- after the call, did you relate what happened on the call to Colonel Vindman?

A I believe I've already answered this. I had a conversation with Ambassador Taylor on or about July 28th and I provided --

Q I'm sorry. I'm talking about the August call.

A Oh.

Q My bad.

A I -- I don't recall specifically, but it was my practice to provide my team with readouts --

Q Okay.

A -- of those kinds of things.

Q Okay. But Colonel Vindman, was he on the call with you?

A I don't believe so.

Q Was Colonel Vindman on any calls with you that you did with Ambassador Taylor during this relevant time period?

A Yes. Well, so, please define the relevant time period.

Q From July 15th through September 25th.

A And about the topic of this inquiry?

Q Yes.

A No.

Q Okay. Did Colonel Vindman express concern to you or complain that he wasn't allowed to be on the call, any of these calls?

A Yes.

Q Okay. And how often did he raise that concern to you?

A Once or twice.

Q Okay. And what was your reason for doing the call without Colonel Vindman?

A The nature of the conversation.

Q Okay.

A The subject matter of the conversation.

Q Okay. It had nothing to do with your trust in Colonel Vindman?

A I had two motivations to do my best to protect my personnel from my concerns about this issue, the concerns that I weighed out about the Washington's political environment.

Q Uh-huh.

A And --

[Discussion off the record.]

MR. MORRISON: I had concerns about Lieutenant Colonel Vindman's judgment.

BY MR. CASTOR:

Q Judgment with respect to what?

A Among the discussions I had with Dr. Hill in the transition was our team, my team, its strengths and its weaknesses. And Fiona and others had raised concerns about Alex's judgment.

Q Okay. Did you ever have any concerns that he might leak something?

A No.

Q Did anyone ever bring concerns to you that they believed Colonel Vindman may have leaked something?

A Yes.

Q Would you tell us about that?

MS. VAN GELDER: That is outside the scope.

MR. CASTOR: How many instances of that --

MS. VAN GELDER: Again, we can talk about this during the break, but he's not going to answer it.

MR. CASTOR: Okay.

BY MR. CASTOR:

Q Were there any other things that Colonel Vindman was excluded from that he raised to your attention, that he felt excluded?

A Could you restate the question?

Q Were there any other things Colonel Vindman was excluded from that he brought to your attention?

A I'm only going to speak within the scope of this inquiry, and the answer is yes.

Q Okay. And what was that, in the scope of the inquiry?

A I took steps early on to attempt to protect my people from being dragged into this process -- what I expected would become a process. And when I saw that there was a process that was going to happen, I took steps to ensure that neither myself nor they would subsequently be accused of coordinating testimony.

Q Okay. And when did you implement that process?

A Sometime in August.

Q Did you relate that to Colonel Vindman?

A No.

Q And did he come ask you why he felt excluded from certain things?

A Yes.

Q And what did you tell him in response to that?

A It was my judgment as to the needs of the mission.

Q Okay. And did he push back? Did he take his concerns to any other authorities?

A He pushed back. I can't speak to the latter.

Q Okay. So you don't know if he went to Dr. Kupperman or anybody else --

A I can't speak to --

Q Did Dr. Kupperman or anybody else, John Eisenberg ever come to you and relate concerns that were related to them by Vindman on this topic?

A Not that I can recall.

Q Okay.

Do you know whether Colonel Vindman ever had access to information he wasn't supposed to see?

A Not firsthand.

[10:09 a.m.]

BY MR. CASTOR:

Q But you have secondhand information about that?

A It was brought to my attention that some had -- some of my personnel had concerns that he did.

Q Okay. How was it brought to your attention?

A In person and by email.

Q Okay. And how many people are in your team?

MS. VAN GELDER: I don't know who --

BY MR. CASTOR:

Q I'm not going to ask. I just want to know how many people are on the team.

A At the time, it was maybe [redacted].

Q Okay. Any concerns about his handling of classified information raised to you?

A In what sense?

Q Did anyone bring concerns to you that they were -- they had issues with the way he was handling classified information?

MS. VAN GELDER: With respect to the Ukrainian investigation?

MR. CASTOR: With respect to anything.

MS. VAN GELDER: He won't answer anything outside the scope.

MR. CASTOR: Okay. With respect to the Ukrainian -- with the matters subject to this inquiry.

MR. MORRISON: Could you repeat the question?

MR. CASTOR: Did anyone bring concerns to you about how they believed Colonel Vindman was handling classified information?

MS. VAN GELDER: With respect to the Ukrainian calls with the President of the United States?

BY MR. CASTOR:

Q Yes.

A Not that I can recall.

Q Okay. The July 10th meeting that Mr. Goldman asked you about in the first round --

A Yeah.

Q -- this was a meeting involving Ambassador Sondland, Volker, Ambassador Bolton, and some Ukrainian officials, Danylyuk and --

A My only understanding is what I -- my only awareness of the meeting is what was related to me in the -- by Ambassador Taylor's statement.

Q Okay. So I think when Mr. Goldman was asking you about that, the question was whether Dr. Hill related to you --

A I don't recall that she did.

Q And I guess, I just wanted to follow up and ask whether anybody else that was in that meeting told you about it?

A I have no recollection of that.

Q Okay. So your only knowledge of the meeting comes via open-source information, reports, press reports?

A From Ambassador Taylor's statement.

Q Okay. And press reports?

A I'm sure I read press reports about how Ambassador Taylor's statement has been, you know, was reported on publicly.

Q Okay. At any point from July 15th through September 11th, did anyone in the counsel's office, Mr. Eisenberg, Mr. Ellis, have communications with you about this alternative channel that had developed involving Ambassador Sondland?

A Yes.

Q And what were those concerns?

MS. VAN GELDER: He's talking to legal counsel. I can only preserve the privilege, and so I would say that it's traditional attorney-client privilege. He will not discuss that.

MR. CASTOR: Okay. You discuss a separate process that chiefly involved Sondland relating to some of these bilateral efforts. What else can you tell us that was your understanding of the separate process? Was it principally Sondland led or Volker led or Giuliani led?

MR. MORRISON: It was principally Sondland led, based on my interactions with Ambassador Sondland and his retelling to me of these issues.

I would routinely inform Ambassador Taylor about my conversations with Ambassador Sondland when I felt that Ambassador Sondland was relating to me a conversation he had with the Ukrainian official that I had reason to believe Ambassador Taylor was not aware of.

On occasion, when talking to Ambassador Taylor, he would relate to me that he was involved in text messages with Kurt, with Ambassador Sondland. I believe Bill would tell me that sometimes Mr. Giuliani was on these text messages. This correspondence was a matter of concern to both of us.

MR. CASTOR: I want to make sure I pivot to Mr. Ratcliffe before our time is up. We have about 12 minutes, I think, left in our round.

MR. RATCLIFFE: Thank you, Steve.

Mr. Morrison, my name is John Ratcliffe. I just have a couple questions for you.

I want to start with what you addressed a little bit earlier regarding chain of command and what I heard you say earlier.

You understand that Colonel Vindman went to the National Security Council lead legal counsel to report his concerns about the July 25th call, correct?

MR. MORRISON: I did not at the time. I do now.

MR. RATCLIFFE: I want to -- and is it your understanding that he did so shortly after the July 25th call?

MR. MORRISON: Based on what has been reported publicly, of which I don't have firsthand knowledge and can't vouch for its veracity, yes.

MR. RATCLIFFE: And when did you learn that he had done so?

MR. MORRISON: Within the past week or 2 when preparing for today's proceeding.

MR. RATCLIFFE: Okay. So is your issue with that, as you talked about chain of command, you said something to the effect of, quote, unfortunate but not unusual. I want to make sure the record's clear. Your issue is not that he didn't or shouldn't have the ability to report the concern, it's that as his direct report, he didn't keep you informed of his concern?

MR. MORRISON: Unfortunate but not unusual was within the context of Fiona Hill's management style, was different than mine, that she had allowed her team to take on unfortunate practices. And so it was not unusual that her team would undertake steps of which she was not fully witting.

MR. RATCLIFFE: But I guess what I'm saying is, you're not here asserting that he didn't have the right to report a concern or a problem that he had to the National Security Council's lead legal counsel, correct?

MR. MORRISON: I'm saying that -- I'm not saying that.

MR. RATCLIFFE: Okay. Very clearly, you do have a difference of opinion with Colonel Vindman with respect to what was heard on the July 25th call. Your statement, I think, speaks very clearly to this issue on page four, where you say, regarding that July 25th call, "I want to be clear: I was not concerned that anything illegal was discussed." I read that correctly?

MR. MORRISON: You did.

MR. RATCLIFFE: Okay. And then in followup to that, in questions from Mr. Castor, he asked you whether or not you thought anything improper or illegal had happened, and your response was no.

MR. MORRISON: Correct.

MR. RATCLIFFE: Colonel Vindman, on the other hand, testified that he was concerned and that he did not think it was proper to demand that a foreign government investigate a U.S. citizen.

As you listened to the call, did you hear President Trump make a demand of President Zelensky to investigate a foreign citizen?

MR. MORRISON: I did not.

MR. RATCLIFFE: A U.S. citizen.

MS. VAN GELDER: Thank you, counsel.

MR. RATCLIFFE: I want to make sure if I said that.

So that the record is clear, you did not hear President Trump make a demand on a foreign government to investigate a U.S. citizen?

MR. MORRISON: To be clear, I did not fully understand this subject matter at the time, the CrowdStrike issue, these issues. I only had a confirmatory recognition that this was what Dr. Hill had briefed me on in our handover.

MR. RATCLIFFE: Understood.

But in talking about concerns that Colonel Vindman had that something improper or illegal was done, as I heard your testimony earlier, you said that you did have a discussion with him where he expressed his concerns. You identified two, the subject matter of the call regarding Ukrainian reform generally and the President's approach to that, and two, the fidelity of the translation.

MR. MORRISON: Yes.

MR. RATCLIFFE: You did not say that he expressed to you concern that something illegal or improper had occurred that should be reported to the National Security Council's lead legal counsel.

MR. MORRISON: I have no recollection of him doing so.

MR. RATCLIFFE: Is that something, as his direct report, you would have expected him to do if he had that concern?

MR. MORRISON: Yes.

MR. RATCLIFFE: And you would have a recollection if he did so?

MR. MORRISON: Yes.

MR. RATCLIFFE: On page five of your statement today, you say, "I have no reason to believe the Ukrainians had any knowledge of the review until August 28th, 2019."

Did I read that correctly?

MR. MORRISON: You did.

MR. RATCLIFFE: And by review, what do you mean?

MR. MORRISON: I mean the process I was directed by Dr. Kupperman to initiate.

MR. RATCLIFFE: That related to what?

MR. MORRISON: Related to the security-sector assistance to Ukraine.

MR. RATCLIFFE: Okay. The security assistance or military aid?

MR. MORRISON: I'd prefer the term "security-sector assistance." I apologize. I'm a bit anal.

MR. RATCLIFFE: No apologies necessary. I just want to make sure we're talking about the same thing.

So in short, your testimony today is consistent with what Ambassador Taylor testified to me under oath, which was that the Ukrainians had no knowledge that any security assistance might be withheld until around August 28th, 2019.

That's inconsistent with what Colonel Vindman told us yesterday in his testimony. He testified that in mid-August --

THE CHAIRMAN: Counsel, is there a question for the witness?

MR. RATCLIFFE: There is.

THE CHAIRMAN: Because you're reading testimony of other witnesses --

MR. RATCLIFFE: I'll get to my question.

THE CHAIRMAN: -- and making representations about whether they're conflicting or not conflicting.

MR. RATCLIFFE: I'll get to my question, Chairman.

THE CHAIRMAN: Thank you, counsel.

MR. RATCLIFFE: You bet.

If Colonel Vindman received light queries from Ukrainians concerned about the withholding of security assistance or military aid in mid-August, is that something that he should have reported to you?

MR. MORRISON: Yes.

MR. RATCLIFFE: Is that something that he reported to you?

MR. MORRISON: I have no recollection of that.

MR. RATCLIFFE: And if he did not, would you consider that to be an issue where he was not acting within the chain of command?

MS. VAN GELDER: Do you want to complete the sentence?

MR. RATCLIFFE: That was it.

MR. MORRISON: I'm sorry, Congressman. Could you please repeat the question?

MS. VAN GELDER: I wish he was, but he's not. You are.

MR. RATCLIFFE: I'm what?

MS. VAN GELDER: You are. Go ahead. I thought you were the attorney.

MR. MORRISON: No, he's a Congressman.

MR. CASTOR: No, he's Congressman John Ratcliffe.

MS. VAN GELDER: I'm so sorry. Blame the attorney, not the witness.

MR. GOLDMAN: Take it as a compliment.

MR. RATCLIFFE: They're so rare, it's just I can't recognize them anymore, to be honest with you.

THE CHAIRMAN: I made the same mistake in referring to him as counsel. He is my colleague.

MR. RATCLIFFE: My question was, should -- if there were light queries from the Ukrainian Government or Ukrainian officials to Colonel Vindman about the withholding of security assistance or military aid in mid-August, is that something he should have reported to you?

MR. MORRISON: Yes.

MR. RATCLIFFE: He did not?

MR. MORRISON: I have no recollection of him doing so.

MR. RATCLIFFE: And if he did not, would you consider that to be a violation of the chain of command?

MR. MORRISON: I would consider it to be an unfortunate habit he picked up from his prior boss.

MR. RATCLIFFE: How much time do we have?

MR. CASTOR: Three minutes. Two minutes, sorry.

MS. VAN GELDER: Could we have a break after?

THE CHAIRMAN: Yes.

MR. NUNES: Mr. Morrison, I think Mr. Ratcliffe has a followup on this also, but in respect to the servers, you said that Fiona Hill, between July 1st and July 15th, brought up servers to you. I think you -- what were you referring to?

MR. MORRISON: Congressman, to be honest, I did not know at the time. I recall googling Burisma. I did not recall googling or otherwise looking into any of the rest of this.

MR. NUNES: But you said that she had mentioned servers to you.

MR. MORRISON: I had a recollection, yes, Congressman.

MR. NUNES: But you don't -- she didn't expand on what those servers were, what that might be?

MR. MORRISON: No, sir. We had a limited amount of time on the handover, and they were sort of, be aware of this bucket.

MR. NUNES: I'm just trying to figure out why she would mention to you something about servers and how she would know about servers. I mean, I know you don't know, but she didn't -- can you recollect anything else from that time period from those conversations?

MR. MORRISON: Congressman, it was very much a there is this process, the process, this is the subject matter, stay away.

MR. NUNES: Did she mention CrowdStrike?

MR. MORRISON: I don't recall that, sir.

MR. NUNES: Steve.

BY MR. CASTOR:

Q And just to be clear before we lose our -- our time is up, the circumstances of you leaving the National Security Council, you're not resigning in protest?

A No.

Q Nobody's asking you to leave?

A No.

Q You're leaving on your own terms?

A Yes.

Q It's just a simple coincidence that your departure here is related to your congressional testimony temporally?

A Yes.

MR. CASTOR: Okay.

THE CHAIRMAN: Okay. We'll take a break. We have some votes coming up, so I would like to keep the break short, if I can, and we'll hopefully get you out earlier. Would 5 or 10 minutes be sufficient?

MR. MORRISON: I can be faster, sir.

THE CHAIRMAN: Okay. Let's make it a 5-minute break then. We'll resume at 10:35, and we'll resume promptly.

[Recess.]

[10:40 a.m.]

THE CHAIRMAN: Going back on the record.

Mr. Morrison, I just want to go over a few of the areas that we've covered, and then I'll hand it back to Mr. Goldman to go further through the chronology.

I think you testified earlier that one of the concerns that Dr. Hill raised with you before you took your position was this irregular channel, and that irregular channel involved issues relating to Burisma or 2016. Is that right?

MR. MORRISON: It was, Chairman, generally, yes, it was chiefly a concern about Ambassador Sondland, who, it was our view, did not really belong in Ukraine policy. And, yes, she raised these issues that she said were being worked on in this alternate channel that were a concern to her.

THE CHAIRMAN: And why were they a concern to her?

MR. MORRISON: As I recall her relating to me, her concerns were just about the -- about the issues themselves. I don't recall a specific this is how they could be used or anything like that. I just recall these are these issues that I knew nothing about. So maybe she tried to convey something that I didn't absorb. And that was what I recall of one or two handoff conversations before I formally took over.

THE CHAIRMAN: Was she concerned that Ambassador Sondland's raising of this bucket of issues around 2016 or Burisma might be at odds with U.S. policy vis-à-vis Ukraine or cause problems in terms of the advancement of the official U.S. policy?

MR. MORRISON: No, sir. I don't recall that.

THE CHAIRMAN: What do you recall about why she was concerned about it?

MR. MORRISON: Again, Chairman, it was that this was -- the chief concerns were sort of who was involved and that this was occurring outside of the regular process. But, again, I was -- this was probably the first time I can consciously recall hearing about these issues, and I really just didn't even know what they were.

THE CHAIRMAN: And remind me, if you would, I think you testified earlier along the lines of wanting to avoid the whole Burisma bucket of issues?

MR. MORRISON: I was admonished -- "admonished" may be the wrong way to describe it. I was advised by Dr. Hill to stay away.

THE CHAIRMAN: And did that seem like sensible advice to you?

MR. MORRISON: Based on having no knowledge of what they were until I recall walking out into the hall and googling Burisma, I took it onboard. And the way I recall processing it was when I went out and I googled "What is Burisma?" and I saw Hunter Biden, I said, okay, yeah, that sounds right, I'll stay away.

THE CHAIRMAN: And you could understand, because it involved Hunter Biden and Joe Biden was running for President, that this could be a problematic area?

MR. MORRISON: Generally, yes.

THE CHAIRMAN: And so when this came up in the conversation as you were listening to President Trump and President Zelensky, and the

President brought up 2016 and the Bidens, you recognized that this was what Dr. Hill had warned about?

MR. MORRISON: Yes.

THE CHAIRMAN: And this was a realization of the concerns that she expressed and that you would later form when you looked up what Burisma was and the association with the Bidens?

MR. MORRISON: Well, sir, I had looked up what Burisma was prior to the July 25 call.

THE CHAIRMAN: Correct.

MR. MORRISON: It was more -- in hearing the call, it was largely confirmatory that there really -- okay, there's something going -- there is something here. I was aware that Ambassador Sondland had briefed the President that morning by this point, per his email, which I referenced earlier. So it was more a reflection that, okay, Fiona was right, there is this parallel process.

THE CHAIRMAN: And I think you said that when you did look into Burisma and learned of the Biden connection, you shared at least part of the concerns Dr. Hill expressed?

MR. MORRISON: I certainly took onboard, yeah, I want to stay away from this.

THE CHAIRMAN: And so did it concern you when the President raised this and that the President wasn't staying away from this?

MR. MORRISON: Sir, it was more that it was not what I thought the focus of the call should be.

THE CHAIRMAN: So you were not concerned that President Trump asked President Zelensky to look into a Democratic candidate for President, only that it might leak?

MR. MORRISON: Sir, I'm not sure I recall the conversation the same way. I recall that he asked him to look into the Vice President's son, not the Vice President. I'm not trying to be cute. I'm just trying to recall the conversation.

THE CHAIRMAN: Let me, if I could, read that language to you. On page four, "The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution. And a lot of people want to find out about that, so whatever you can do with the attorney general would be great. Biden went around bragging that he stopped the prosecution, so if you could look into it. It sounds horrible to me."

You understood that after referring to Biden's son he then goes on to refer to Joe Biden. That's the Biden he's referring to about stopping the prosecution, that Biden went bragging about he stopped the prosecution. You understood that he was talking about Joe Biden, candidate for President Joe Biden, right?

MR. MORRISON: Sir, you are correct. I did not know what the prosecution he was referring to, what that prosecution was.

THE CHAIRMAN: So do I understand your testimony correctly that you were not concerned that President Trump was asking President Zelensky to look into a Democratic candidate for President, only that it may leak?

MR. MORRISON: Sir, I was concerned -- I was concerned that the MEMCON and the subject of the call -- the content of the call could leak. I was concerned that it did not focus as much on what I hoped it would focus on, which was President Zelensky's reform agenda.

THE CHAIRMAN: And when the President raised immediately -- well, when President Trump raised immediately after President Zelensky expressed interest in buying more Javelins, and the President of the United States asked for a favor and that favor involved looking into the issues that Fiona Hill had warned about, that didn't concern you?

MR. MORRISON: No.

THE CHAIRMAN: Only that that might leak?

MR. MORRISON: Yes.

THE CHAIRMAN: Did it concern you that Rudy Giuliani was mentioned in the call with President Zelensky?

MR. MORRISON: No.

THE CHAIRMAN: Only that that might leak?

MR. MORRISON: I don't know if I was concerned that Mr. Giuliani being mentioned in the call would leak. I don't know that I was concerned about that.

THE CHAIRMAN: Now, you mentioned in your written testimony that you didn't think it was -- that what you listened to was a violation of law. Are you an attorney, Mr. Morrison?

MR. MORRISON: I am not admitted to a bar. I do not practice.

THE CHAIRMAN: And when you went to visit with an attorney right after this call, that is the top attorney at the National Security Council, did you ask him whether this might be a violation of the law?

MS. VAN GELDER: Did you ask him?

MR. MORRISON: No.

THE CHAIRMAN: And I think you've said that you were not aware of the preparation that Ambassador Sondland or others may have provided to the President in this other channel in preparation for the call. Is that right?

MR. MORRISON: I was aware that there was a call between Ambassador Sondland and the President that morning. I confirmed that call did happen. And that was the extent of my knowledge.

THE CHAIRMAN: So in terms of evaluating the legality of what happened on the call, you didn't have the advantage of knowing what took place before the call, how the President might have been prepared for that call?

MR. MORRISON: Sir, I did not then and I do not now opine on to -- as to the legality.

THE CHAIRMAN: Mr. Goldman.

BY MR. GOLDMAN:

Q Just one more thing on this. You said that you wanted to stay away from the Burisma bucket of investigations. That was your testimony, right?

A That's what I was advised to do, and that's what I did.

Q Why did you want to do that?

A It did not -- it was nothing a part of any -- the proper policy process that I was involved in on Ukraine, it had nothing to do with the issues that the interagency was working on.

Q So it wasn't a part of U.S. policy?

A It was not a part of the formal interagency policy process.

Q Okay. Mr. Morrison, before you came to testify here today, did you speak to any staff members from the Republican staff here?

A No.

Q Did you speak to any Members of Congress about your testimony here today?

A No.

Q Did you share your opening statement with anyone?

A No. Other than counsel, no.

Q Understood.

MS. VAN GELDER: And for the record, counsel has not shared it with anyone.

BY MR. GOLDMAN:

Q Thank you.

In your July 28th call with Ambassador Taylor, the minority --

A I'm sorry, sir, which date?

Q July 28th.

A July 28th, okay.

Q Yes. The minority -- this is on page nine of Ambassador Taylor's statement -- the minority referenced that you said that the call could have been better. But they didn't read the rest of the sentence, which says: And that President Trump had suggested that President Zelensky or his staff meet with Mr. Giuliani and Attorney General William Barr.

Did you have any concerns that the President of the United States was asking a foreign leader to meet with his personal attorney who is not a government employee?

A So you lost me a little bit on the question. Could you repeat the question?

Q You confirmed that you did -- that Ambassador Taylor's description of your conversation on July 28th was correct. Is that right?

A It is.

Q Okay. Ambassador Taylor says that President Trump had suggested that President Zelensky or his staff meet with Mr. Giuliani and Attorney General William Barr.

Did you have any concerns that the President of the United States asked another foreign leader to meet with his personal attorney who was not a U.S. Government official?

A No.

Q You didn't?

A No.

Q And you didn't have any concerns even though you knew that Giuliani was publicly advocating for this bucket of investigations related to Burisma that were not a part of the well-settled official U.S. policy?

A I'm not sure I knew that he was publicly advocating. I did know that Fiona, Dr. Hill, had advised me of this parallel process in which Mr. Giuliani was a part.

Q So is it your testimony today that as of July 28th you did not know that Rudy Giuliani was publicly advocating for these investigations?

A I have no recollection of that.

Q And you were in charge of covering Ukraine as the senior director in the National Security Council?

A For 13 days.

Q Right.

A Yes.

Q And you knew that you were going to be for 2 months prior to that?

A No. I had begun negotiations with Ambassador Bolton and Dr. Kupperman on taking over. I had planned at the time to leave the NSC when I finished a year at my then current position. And it was not clear to me that we were going to come to an agreement on my assuming Dr. Hill's responsibilities.

Q Okay. Well, at least as of July 1st, you started transitioning in meetings with Dr. Hill, correct?

A Correct.

Q And at that point you started getting up to speed on the countries within your new portfolio?

A Correct.

Q Right. And Dr. Hill warned you about this alternative channel that involved Rudy Giuliani, correct?

A Correct.

Q And so you took no efforts from July 1st until July 25th to understand what this alternative channel related to Rudy Giuliani was?

A I took limited efforts, but I also had a variety of other things going on in my portfolio.

Q Okay. But it is your testimony today that as of July 25th you did not know that Rudy Giuliani was publicly advocating for investigations related to Burisma, Joe and Hunter Biden, and the 2016 election?

A Correct.

Q After this call -- well, let me go back. So I just want to make sure. You had two conversations, I think you said, on July 25th with John Eisenberg and Michael Ellis related to the call --

A Yes.

Q -- at that time? Did you have any further conversations with them in the few days after that related directly to the phone call?

A Not that I can recall.

Q Okay. Did there come a time when you became aware of a meeting that Mr. Giuliani had with Andrey Yermak in Madrid, Spain?

A Yes.

Q What do you -- when did you -- did you learn about that in realtime?

A No.

Q When did you learn about that?

A Within the past week or so in reading press coverage of these proceedings.

Q So you only -- so I just -- let's just for the next half an hour try to separate out what you've learned from the press reports and what you knew prior to press reports, okay.

So you only learned about this -- well, I should say, you learned it from press reports at the time, or you learned it from press reports recently?

A Recently.

Q Okay. Were you aware that it was in the press at the time?

A No.

Q Okay. What were your -- did you understand your do-outs to be from the July 25th call?

A I think the only do-out I can recall is I decided to work with Ambassador Taylor to attempt to determine dates that would be mutually agreeable to President Trump and President Zelensky for a White House visit.

Q And did you have any discussions within the White House about this potential White House visit?

A Yes.

Q Who did you speak to?

A Ambassador Bolton, Dr. Kupperman, [redacted].

Q Who is that? Sorry.

A She is the senior director for visits. She handles -- we have a team on the NSC that handles foreign -- foreigners who visit the White House, whether to meet with Ambassador Bolton or to meet with the President or the Vice President. And so she was a conduit for the schedule proposals and the interface with the President's schedulers.

Q And what did you understand to be the direction about whether or not you should begin to set up a White House visit?

A We were seeking a White House visit.

Q And that came from Ambassador Bolton?

A That came from the President.

Q Who did he -- who did you understand him to have told that to?

A President Zelensky.

Q And so -- and you had conversations with Ambassador Bolton and Dr. Kupperman about that as a do-out from the conversation?

A I think I -- what I recall telling them is, I'm going to put together -- we have a schedule proposal. Let's move the schedule proposal. I think the schedule proposal preceded the July 25th phone call. Let's move the schedule proposal. I will work with Ambassador Taylor to determine dates that are agreeable to the Ukrainians.

Q Okay.

[Majority Exhibit No. 2
Was marked for identification.]

BY MR. GOLDMAN:

Q I'm going to show you a document that is a bunch of text messages that we'll mark as exhibit 1 -- sorry, exhibit 2. And if you could go to page 38 --

A I don't think these are numbered.

Q Well, Bates No. 38, KV38.

A Excuse me, okay.

Q And if you go to August 3rd at 11:19 a.m. It's about two-thirds of the way down.

A Uh-huh.

Q Now, this is a group text chain with Bill Taylor, Kurt Volker, and Gordon Sondland. You are not on it. But Sondland writes to the other two: I have a sec call with Tim, Monday, "Mon," Monday, sounds like bad news. Kurt, call if you have a sec. Thanks.

Do you recall having a conversation with Ambassador Sondland around this time about a White House meeting?

A I'm aware that I had a call with him. I'm aware that I had a call with him. My record indicates it was an open line, but -- nonsecure line, on Monday, August 5. I don't recall the subject matter, but it was an open line.

Q Did there come a time after the July 25th call when you learned that the prospect of a White House meeting was not good?

A No.

Q No? You thought that it was on track from July 25th to the present day?

A There came a time when it became clear that the earliest opportunity for the two Presidents to meet would be in Warsaw. I believe that was President Zelensky's suggestion, and that's what we scheduled for. But we were in parallel looking for opportunities to land a White House meeting.

Q Okay. So you have no idea what Ambassador Sondland means here when he says, "Sounds like bad news"?

A No, but he also indicates it was a secure call and it was not.

Q So, therefore, you question whether there was bad news because he -- because it may have changed in 2 days from a secure call to an open call?

A I simply can't know what was in Ambassador Sondland's mind.

Q If we could go down to 8/6 at 7:57 a.m., Bill Taylor writes: Ukraine responded saying that they want to plan one trip, so the week before UNGA or the week after works. The week of September 9th doesn't. But my conversation with Tim on Sunday did not fill me with hope that they will agree on a date anytime soon unless, comma, Tim said, quote, "Gordon turns it around," unquote.

Do you recall that conversation with Ambassador Taylor on August 6th -- or August 5th maybe? Sunday, so I don't know. August 4th, it would have been, according to Ambassador Taylor.

A No. In my review of occasions where I scheduled a call with Ambassador Taylor, it's possible something -- you know, it didn't wind up getting scheduled, it's just that he called unscheduled. I don't have that call.

Q Well, do you remember having a conversation with Ambassador Taylor along the lines of where the conversation included what he described here?

A No.

Q Do you recall ever giving him any reason that did not fill him with hope that the White House would agree on a date anytime soon?

A It's not -- I don't have a clear recollection, but I'm not surprised.

Q Why are you not surprised?

A Because my directorate had a dozen schedule requests in with the President for meetings with foreign leaders that we were looking to land, and Ukraine was but one.

Q Do you recall telling Ambassador Taylor that it was not going to happen soon unless, quote, "Gordon turns it around," unquote?

A No.

Q The next line, Bill Taylor says: "Gordon, you talked to Tim yesterday, right? Is that your sense, question mark. Parentheses, Tim actually said, quote, "unless Gordon turns it around like he did with the phone call," unquote.

Do you recall saying that?

A No.

Q Do you dispute that you did say that, if Ambassador Taylor wrote that contemporaneously in this text message with quotation marks around it?

A I have no recollection of that, and I wasn't on the text messages. I can't speak to it.

Q I understand. But do you have any recollection of saying -- of thinking that Ambassador Sondland had played any role in helping to facilitate the phone call between President Trump and President Zelensky?

A Yes.

Q And how did he do that, to your knowledge?

A He told me he did it.

Q This was before the July 25th call that he also told you about, right?

A Yes.

Q Okay. And did he tell you how he did it?

A No. Well, so he bragged that he could call the President whenever he wanted.

Q So you understood that he facilitated it by calling the President?

A I understood that he believed he did.

Q Okay. But you didn't confirm with the President -- with the -- you didn't confirm that they did have a conversation?

A I wasn't always able to confirm these things. Sometimes I didn't have time. Sometimes I just couldn't find somebody who could confirm it.

Q Approximately how many times over the course of the July 15th to September 11th time period do you recall hearing Ambassador Sondland -- or learning one way or another that Ambassador Sondland and President Trump spoke?

A I can't quantify it exactly, but I would say several times.

Q Would you say more than five?

A Approximately five.

Q Approximately five?

A Yeah. It's not -- it wouldn't be double digits, but half a dozen, several, something in that ballpark. Not a couple, not a few. Several.

Q Okay. So did you ever learn in the -- well, let's go, sorry, to page 42, KV42, at 5:35, which is about two-thirds of the way down. The text reads from Gordon Sondland to Kurt Volker, Bill Taylor is not on this chain: Morrison ready to get dates as soon as Yermak confirms.

Do you have any idea what Ambassador Sondland is referencing there?

A No.

Q Were you aware that Ambassador Sondland was having any communications with Andrey Yermak around this time?

A I'm hesitating to answer because I knew Gordon was having conversations with Ukrainian officials. I don't know if I knew before or after August 9th, and I don't know that I knew specifically he was talking to Mr. Yermak.

Q Were you talking to any Ukrainian officials around this time?

A Yes.

Q Who were you in contact with?

A The then Ukrainian National Security Advisor.

Q Danylyuk?

A Yes.

Q And approximately how frequently did you speak with him, from July 15th to September 11th, and not when you met in Warsaw?

A Three or four times.

Q Did you ever discuss the White House meeting with him?

A Not that I can recall.

Q So what did you know about Ambassador Sondland's conversations with Ukrainians related to a White House meeting?

A I don't know that I knew he was having conversations with Ukrainians about a White House meeting. I knew he was having conversations with Ukrainians.

Q Did you understand what he was speaking to them about?

A I understood that he was speaking to them about what I've taken to discuss as the Burisma bucket.

Q Okay. Did there come a time when you became aware of a possible statement that was to be released by the Ukraine Government in this early to mid-August timeframe?

A Not early to mid-August, no.

Q When?

A I recall Gordon mentioning it when he related to me his conversation with Yermak on 1 September in Warsaw.

Q Okay. We'll get to that in a minute. But around this mid-, early to mid-August timeframe, you had no knowledge that there was a discussion of Ukraine issuing a statement?

A No.

Q Related obviously to the U.S.?

A No.

Q And what did you understand Rudy Giuliani's involvement to be in Ukraine matters in the first 2 weeks of August?

A I'm not sure in the first 2 weeks of August I knew any specifics about his involvement. I had the superficial awareness given to me by Dr. Hill, and, of course, the President suggested that Mr. Giuliani should go to Ukraine. I think those were chiefly the two data points I had.

Q When did you learn that the President suggested Rudy Giuliani should go to Ukraine?

A He said it in the call.

Q He said that he should go to Ukraine or that they should --

A I think -- well, so, forgive me, you're right. That they should meet with him, I believe.

Q Okay. And did you ever follow up as a do-out to determine whether the Ukrainian -- any Ukrainian officials did meet with Rudy Giuliani pursuant to the President's request on the July 25th call?

A And to be clear, in reading the call again, the President asked that he call -- that Mr. Giuliani and President Zelensky call. President Zelensky had mentioned that they're hoping that Mr. Giuliani would travel to Ukraine.

Q Right. Mr. Giuliani is mentioned several times --

A Yes.

Q -- so it's hard to keep track.

But just to get back to my question, did you view it as a do-out to try to help facilitate contact between Mr. Giuliani and Ukraine officials pursuant to the President's request in this call?

A No.

Q Why not?

A Because I did not.

Q Well, but ordinarily, right, you thought that the White House visit was a do-out from this call because that was mentioned in the call, right?

A Correct.

Q Getting in touch with Rudy Giuliani was also requested several times by President Trump. Why didn't you view that to be a do-out from the call?

A It is not within the scope of my responsibilities. Within the scope of my responsibilities is to help arrange head of state visits to the White House or other head of state meetings. I did not consider it to be a direction to me.

Q Why was it not within the scope of your responsibilities if it relates to Ukraine --

A Because I --

Q -- policy matters?

A -- I would help set up meetings with Ambassador Bolton and foreign delegations and the President or Vice President and foreign delegations, not others.

Q But you were also in charge of coordinating and orchestrating the U.S. policy toward Ukraine, too. It wasn't just head of state visits, right?

A Correct.

Q And if the President wanted the Ukrainians to meet with Rudy

Giuliani, isn't that -- wouldn't that be part of your portfolio overseeing Ukraine?

A I did not consider it to be.

Q Because why?

A It was not within my -- the process I was involved in.

Q It was not in the official U.S. policy toward Ukraine to have -- to involve Rudy Giuliani?

A Not one that I was involved in.

Q So is it your view that the President sets the policy?

A Yes.

Q And so did you not take away from this call that the President's policy decisions on Ukraine included Rudy Giuliani?

A I was aware of what the President raised with respect to Mr. Giuliani, yes.

Q That wasn't answering my question. Did you not think that that was part of U.S. policy if the President direct asked Ukraine to meet with Rudy Giuliani?

A No.

Q Why not? I don't --

A I'm trying to tell you what I thought at the time. I did not think at the time this was my responsibility to help implement.

Q Whose responsibility was it?

A I did not have an opinion then, and I do not have an opinion now.

Q And was this something that you were just trying to stay away from?

A It just -- I did not see it within the scope of my responsibility.

Q But is this something along the Burisma line that you were trying to stay away from, as you testified earlier?

A It was that process I was not -- I was not getting -- Mr. Giuliani was a part of that process in which I was not involving myself.

Q Okay. So you were not aware in the -- when did you become aware that Mr. Giuliani was meeting with Ukrainian officials?

A It may have come up in -- I had several calls with Ambassador Taylor. So I think it would have come up in one of the calls -- it would have had to at this point -- one of the calls I had with him in August.

Q Did you have any calls with Ambassador Taylor in the first 2 weeks of August?

A I believe so. I had -- I had at least one that I -- that I have a record of, yes.

Q What date?

A 16 August.

Q And just for the record to be clear, what are you looking at to refresh your recollection?

A I printed out calendar entries.

Q And so you don't have anything else between July 28th and August 16th --

A Not --

Q -- with Ambassador Taylor?

A Not -- well, July 28th, yes. I also spoke with him on -- I spoke with him on Sunday July 28th, and I spoke with him beyond then.

Q When you mentioned Rudy Giuliani to Ambassador Taylor on July 28th, did he say anything about Mr. Giuliani in response to you raising that? I'm just asking for your recollection.

A Yeah. Not that I can recall.

Q Did you know what Ambassador Taylor's views were about Mr. Giuliani's involvement in Ukraine matters?

A As of July 28th?

Q As of July 28th, yeah.

A No, I don't believe I did.

Q When did you learn those?

A Again, I referenced conversations Bill and I had involving Ukraine where he mentioned text messages and phone calls he had with Mr. Giuliani where he shared his views, and I -- he and I discussed them.

Q What were his views?

A Well, he was concerned that -- principally that he did not always know what Rudy was doing. He and I discussed a lack of, shall we say, OPSEC, that much of Rudy's discussions were happening over an unclassified cell phone or, perhaps as bad, WhatsApp messages, and therefore you can only imagine who else knew about them.

Q Was he concerned at all about the substance of what

Mr. Giuliani was pressing?

A I'm trying to recall --

Q Well, let me ask you this. Did he relay to you that Mr. Giuliani was pressing for these investigations?

A Not around this time. I think we had discussions about what they were doing later, but not around August 16th, I don't believe.

Q Well, what did he describe to you was going on with the text messages with Sondland, Volker, and Giuliani?

A I remember being focused on the fact that there were text messages, the fact that Rudy was having all of these phone calls over unclassified media. And I found that to be highly problematic and indicative of someone who didn't really understand how national security processes are run.

Q By August 15th, did you know that Rudy Giuliani was pressing the Ukrainians to initiate investigations into Biden, Burisma, and 2016 election?

A I think I did, yes. I think I deduced that from the July 25th call.

Q So after the July 25th call, did you take any steps to figure out what Rudy Giuliani believed or was advocating related to Ukraine?

A I decided to stay out of that line of process.

Q So the only knowledge you had was from the July 25th call?

A As of when?

Q August 15th.

A Yes, that's my recollection.

Q And you didn't discuss it with Ambassador Taylor before that, to your recollection?

A Not to the best of my recollection.

Q Okay. So you were not aware that -- well, were you aware that there was a discussion either among -- between Ambassador Sondland -- there were discussions among Ambassador Sondland, Ambassador Volker, and Rudy Giuliani related to conditioning the White House meeting on the initiation of this investigation by August 15th?

A No.

Q You mentioned at the end of our last round that Mr. Eisenberg told you in a meeting that it was a mistake to place the transcript -- or the MEMCON in the highly classified system. And you said that that was around the time that you were preparing for President Trump's visit to Warsaw to meet with President Zelensky. Do you have a more specific recollection as to when that conversation was?

A So I was with Ambassador Bolton on travel prior to Warsaw, so if Warsaw was around 1 September, it would have been maybe the third week of August.

Q So how far in advance would you ordinarily prepare for a meeting like this?

A In this -- so normal -- in this case, because I was planning to be on travel for about a week before Warsaw, I wanted to put in place certain things before I left the country.

Q Understood. When was your -- you're talking about the trip you took to Kyiv as well as a couple other places?

A So I staffed the President and Ambassador Bolton at the G7 in Biarritz. Ambassador Bolton then proceeded to Ukraine, Moldova, and Belarus. And we then proceeded to Warsaw.

Q I see. And did -- so I just want to be very clear about this. Mr. Eisenberg told you that it was a -- you looked for the MEMCON in the system and you couldn't find it. Is that right?

A Correct.

Q And then you went and asked -- what did you do -- let me ask it this way: What did you do after you couldn't find it?

A I called the NSC Executive Secretariat staff to say, essentially, what gives?

Q And what did they say?

A They said John Eisenberg had directed it be moved to a different server.

Q What did you do next?

A I talked to John.

Q And what did he say to you?

A He said he did not.

Q What did you say back to him?

A I said, well, that you need to talk to Exec Sec because they think you directed it.

Q And then what did he say to you? When did he say it was a mistake?

A After he talked to -- well, I don't recall if it was in that exact same conversation or a separate conversation, but at some point he checked in with the Exec Sec to find out why they thought he directed them to do that. And he came back and said, well, I agreed with you to restrict access.

They took that as a direction to move it to a different server, which was not my -- which was not his instruction nor my recommendation.

[11:22 a.m.]

BY MR. GOLDMAN:

Q And so was it your understanding that at the point of that meeting the third week of August, Mr. Eisenberg was not aware that the transcript had been moved to the highly classified system?

A That's my recollection, yes.

Q You said that there was a -- that you pretty early on -- and correct me if this description is wrong, but you testified earlier that you pretty early on understood that this issue was going to become a process, I think was your language, and you tried to protect your team, I think is what you said. Is that your recollection of what you said?

A Yes.

Q What did you mean by "a process"?

A That at this point, around July 25th, I was afraid of, as I stated in my statement, if it leaked it would wind up becoming a partisan political issue. And so I was -- that was among my concerns about the call leaking.

As time went on, and I'd have to -- I don't recall precisely what was playing out contemporaneously in the media, but I became further concerned that it could become more than just a partisan issue, and I wanted to essentially put myself between my staff and that issue. I was in charge. It was my responsibility to protect them from anything that would be a distraction from their mission.

Q And I'm not -- I don't want to go anywhere near who the whistleblower is, but when did you become aware that there was a whistleblower complaint related to this issue?

A When the -- when the press -- press coverage of the fact of a whistleblower began.

Q So that was in September?

A Whenever that happened, yes, that was when.

Q So you were unaware at any point in August that there was a whistleblower complaint that had been filed related to this issue?

A To the best of my recollection, yes.

Q Do you recall getting a request to preserve your documents at some point related to Ukraine matters?

A Yes.

Q Did you know what that related to when you received it?

A I don't know that I did. We've received a couple dozen of those kinds of instructions -- preserve your documents, preserve your documents. And my -- you know, pursuant to the Presidential Records Act, the way our email is set up, the way our phone calls happen, you know, my sort of entry-level basic operating assumption is there's a record of everything. And, you know, I don't even think I have the capability to delete an email, for example.

Q I understand that. But did you understand what the preservation request related to?

A I think I saw that it was related to Ukraine. I don't believe I had any understanding of much more than that.

Q Did you think it related to the July 25th call?

A I think, if I'm correct in recalling, I think what it related to was the disclosure of the hold, the hold on assistance. When that leaked in late August, I think that's what I thought it was related to.

Q Okay. Well, I believe that the date you would have received the email was before the date that the public became aware of the security assistance hold.

A Okay.

Q So it would be hard for it to be that.

A Okay. I'm telling you what my best recollection is.

Q And just to be clear, in any of your conversations with Mr. Eisenberg in August, did he mention a whistleblower complaint related to Ukraine?

A No.

MR. GOLDMAN: Our time is up. So are you good if we go another 45 minutes or do you want a break?

MR. MORRISON: Yeah, I'm good.

MR. BITAR: If we go another 45, we'll have lunch after that.

MR. GOLDMAN: Okay. And we'll yield to the minority.

BY MR. CASTOR:

Q I believe you testified earlier that the July 25th call was requested through the regular NSC process. Do you remember who officially requested the call?

A I know -- I know we, the NSC staff, were advocating a call and had proposed a call.

Q Okay. And were there any temporal considerations of the call, before or after the parliamentary elections?

A We wanted it to happen as close as possible to the parliamentary elections. That's when it's most ripe. And I remember around the time of the 25th, we were keen on it happening then, because President Zelensky had travel later that week. I don't recall what day of the week the 25th was. Monday was the 22nd, so it was Thursday or so. That Friday, I believe, President Zelensky had travel plans. So he would be away from the secure phone he has that we would use to have such a call.

Q And in your transition with Dr. Hill, did she express an opinion on the -- whether she was in favor of having the call?

A Not that I recall.

Q Okay.

MS. VAN GELDER: In favor?

BY MR. CASTOR:

Q In favor of or against the call?

A Not that I recall.

Q So you don't remember if she was against having that type of call?

A Not that I recall.

Q Okay. Do you remember if she was against having the meeting, the Oval Office meeting or the meeting in Warsaw, which --

A No, I do not.

Q Do you recall any concern about whether President Zelensky would be a genuine reformer and follow through on his campaign commitments?

A Yes.

Q And whether he would be influenced by oligarchs and whether he would genuinely try to root out corruption?

A Yes.

Q And I believe there's an oligarch by the name of -- and I apologize if I get the pronunciation wrong -- Kolomoisky.

A Yes.

Q [redacted]

A [redacted]

Q [redacted] [redacted]

[redacted] [redacted]

[redacted]

[redacted] [redacted]

BY MR. CASTOR:

Q Okay. But can you tell us about what the NSC view was in the lead-up to the call? Was that a concern or a potential roadblock to having the call?

A I think our view was we wanted to -- the United States to engage the Zelensky administration, to test him.

Q And do you know by the time the July 25th call had happened whether he had an opportunity to implement any reforms?

A He had not. The July 25th call was incident to the Rada election. The Rada, the new Rada, would not be seated until the end of August.

Q Okay. And after the Rada was seated, do you know if President Zelensky made an effort to implement those reforms?

A I do.

Q And what reforms generally can you speak to?

A Well, he named a new prosecutor general. That was something that we were specifically interested in. He had his party introduce a spate of legislative reforms, one of which was particularly significant was stripping Rada members of their parliamentary immunity. That passed fairly quickly, as I recall. Those kinds of things.

Q And within what time period were some of those initial reforms passed?

A Very, very quickly.

Q Okay. So in the month of August?

A When we were -- when Ambassador Bolton was in Ukraine and he met with President Zelensky, we observed that everybody on the Ukrainian side of the table was exhausted, because they had been up for days working on, you know, reform legislation, working on the new Cabinet, to get through as much as possible on the first day.

Q Remind me again of Ambassador Bolton's visit. Was that August, at the end of August?

A It was the end of August. It was between the G-7 and the Warsaw commemoration.

Q So by Labor Day, for example?

A I seem to recall we were -- we -- we were there on the opening day of the Rada. President -- President Zelensky met with Ambassador Bolton on the opening day of the Rada, and they were in an all-night session. Yeah. So, I mean, things were happening that day.

Q So by Labor Day, things had really -- there had been --

A Yes.

Q -- definitive developments --

A Yes.

Q -- on the front to demonstrate that President Zelensky was committed to the issues he campaigned on?

A Yes.

Q Did you emerge from those meetings with Ambassador Bolton encouraged that President Zelensky was a genuine reformer?

A Yes.

Q And he had the best interests of the Ukrainian people in mind?

A Yes.

Q And that he was not a self-dealing bad guy?

A Yes.

Q Do you think Ambassador Bolton shared that view?

A Yes.

Q And did you look forward to coming back to the United States and communicating that through the interagency process?

A Yes.

Q Up the chain to the President and so forth?

A Yes.

Q Okay. And did you have an opportunity to communicate that up the chain once you did get home?

A We communicated it before we got home.

Q Okay. So relatively quickly, that message was communicated back to President Trump and his top aides?

A Yes.

Q Okay. Do you know if that information was well-received?

A By whom?

Q By President Trump and his top aides. Did you get any feedback or word of feedback?

A Could you restate the question or repeat the question, please?

Q Did you -- well, maybe I should start with who passed that information on, was that you or Ambassador Bolton or both of you?

A Ambassador Bolton.

Q Okay. And do you know whether Ambassador --

A I passed some of the information along, too.

Q Okay. And did you get any feedback that these are good, positive first steps?

A So we -- I called back to my team. I told them to provide some updates to the prep materials that we had prepared for the President for what we then believed would be his meeting with President Zelensky.

When it became clear, because of the hurricane, that the President would not travel to Warsaw, I made sure to convey that information to the Vice President's staff.

Q And the next part of the trip was going to Warsaw?

A We went from Ukraine, Moldova, Belarus, to Warsaw.

Q You were in the meeting between the Vice President and President Zelensky?

A Yes.

Q Can you recall generally the message Vice President Pence communicated to President Zelensky?

A Yes.

Q What was that?

A It was to convey U.S. support for Ukraine. It was to convey President Trump's focus on President Zelensky's -- well, not necessarily President Zelensky's -- President Trump's focus on corruption reform in Ukraine.

It was also to convey President Trump's concern that the United States ought not be the only country providing security assistance to Ukraine.

Q Did the Ukrainians raise the issue of support, financial support at that point?

A Yes.

Q And what do you remember of that?

A They were frustrated. They were surprised by the public disclosure on or about the 28th. And they were looking for clarity from the Vice President about why there was a hold, what the review was looking at.

Q Okay. And did the Vice President try to encourage them that the hold would be lifted?

A He tried to encourage them that -- to continue to hold true, that the United States supports Ukraine, and that they should continue to do as much as possible to gain more support from the Europeans and to continue the corruption reform agenda.

Q Okay. Did he attempt to allay their concerns about whether the aid would be delivered? Because we're coming up on the end of the fiscal year. To the best of your recollection?

A There was only so much he could say.

Q Okay. Did he make any commitments to the Ukrainians during that meeting?

A No.

Q Okay.

A Well, yes, he made one. He would relay what he believed was a very positive meeting, the content of that meeting, to President Trump.

Q Okay. In short order?

A Yes.

Q Okay. Do you know if the Vice President did that?

A Yes.

Q And did you get any readout of how that conversation went --

A Yes.

Q -- or the President received it?

A Yes.

Q In a positive way?

A I did receive a readout.

Q Was the President positive at that point or was he still skeptical?

A Still skeptical.

Q Was the President's skepticism, in part, based on our allies, their support of Ukraine financially?

A Yes.

Q Okay. So he was still concerned that our allies could do more?

A Yes.

Q And he was still concerned by his general issue with using

U.S. taxpayer dollars overseas?

A To the best of my understanding.

Q During the Warsaw visit Ambassador Sondland, I guess, had a sidebar with Yermak?

A Yes. Ukrainian Presidential Adviser Yermak.

Q Did you witness that exchange?

A I witnessed it, yes.

Q Okay. And were you part of the exchange or did you just see it occur?

A I saw it occur.

Q Okay. And what did you learn about that exchange? I guess Ambassador Sondland told you what he told Yermak?

A He came -- he essentially walked across a, you know, a -- I don't know how to describe the room. He walked across the space and he briefed me on what he said he had said to Mr. Yermak.

Q Okay. What did he tell you?

A He told me that in his -- that what he communicated was that he believed the -- what could help them move the aid was if the prosecutor general would go to the mike and announce that he was opening the Burisma investigation.

Q And this occurred after the Vice President's meeting?

A Yes.

Q So the Vice President had just met with President Zelensky?

A Yes.

Q And the word "Burisma" wasn't -- didn't come up?

A No.

MR. CASTOR: Are you going to interrupt me?

MR. BITAR: No. Just for the record, when you mentioned -- when the witness mentioned "Burisma," he put quotation marks in the air. I just want to make sure that that's in the --

MR. MORRISON: I meant by that the Burisma bucket.

MR. BITAR: Understood. Thank you.

MR. CASTOR: Sorry. I didn't mean to --

MR. BITAR: No, no. It was just to make sure the record's accurate.

MR. CASTOR: Okay, fair enough. Believe it or not, there have been some back-and-forths that maybe led to some questions on my part. So I apologize to my colleague.

BY MR. CASTOR:

Q Getting back to the Vice President's meeting, the word "Burisma" didn't come up in it?

A It did not.

Q The name Biden was not mentioned?

A It was not.

Q Whether Hunter Biden or former Vice President Biden?

A No form of Biden.

Q The word "CrowdStrike" didn't come up?

A It did not.

Q Any specific investigation?

A No, not to the best of my recollection.

Q Any investigation relating to the run-up to the 2016 election?

A No.

Q Okay. So the meeting ends and that's the definitive, you know, U.S. position at this point. The Vice President just communicated with the President of Ukraine, right?

A Yes.

Q So did you have any idea why Ambassador Sondland felt it was necessary to go and track Mr. Yermak down?

A No. But, in fairness, I also didn't know why Ambassador Sondland was in the meeting.

Q Okay. Ambassador Sondland didn't consult you prior to doing that, did he?

A No.

MS. VAN GELDER: Doing what?

MR. CASTOR: Going to speak with Yermak. Fair enough.

MR. MORRISON: Yes, he did consult with me about going to the meeting.

BY MR. CASTOR:

Q Okay. And what did you tell him?

A He said he wanted to have a seat in the meeting. And I said, okay, Gordon, I'll see what I can do.

Q Okay. And did you help him get a seat in the meeting?

A No.

Q Okay. How did he get a seat in the meeting?

A I do not know.

Q Okay. Did you ever have any communications with him in that timeframe about not doing something of this sort, of going up and having these communications with Yermak?

A No.

Q Okay. When he came back to you and related what he just exchanged with Mr. Yermak, did you give him any feedback, such as, Why did you do that? Or did you just -- or you were just receiving?

A I took it on board and immediately started thinking about who I wanted to call about it.

Q Okay. And who did you call about it?

A Ambassador Bolton, Ambassador Taylor. And I made sure to -- there were no NSC lawyers on this trip. I made sure to communicate the same to the lawyers when I got back.

Q Okay. And you just related the communication?

A Yes.

Q And your concern about it?

A Yes.

Q Okay. And did any of those parties give you any advice or recommendations on how to handle it, or was it just noting it for the file?

A Ambassador Bolton's direction, consistent with my instinct, was make sure the lawyers are tracking.

Q Okay. At any point did you feel comfortable telling Ambassador Sondland that maybe what he was doing here wasn't helpful?

A I didn't -- I didn't deem it would result in anything.

Q Okay. Had you ever, before this point, had you ever tried to moderate some of his tendencies?

A On -- yes.

Q And how did you try to do that?

A So staying within the scope of the inquiry, I would just -- on issues that I thought were in my purview, I would offer him counsel on what others in the interagency were doing that he should factor into his instinct or his impulse, or I would tell him that I thought there was perhaps a more effective way to get it done than he was contemplating.

Q And he wasn't a career diplomat, right?

A No.

Q He's somebody coming from outside of government. He's a hotelier. Is that right?

A As I understand it from press reporting.

Q Okay. And do you think some of these issues with Ambassador Sondland related to the fact that he just wasn't a professional diplomat and hadn't really been steeped in the art of diplomacy?

A When Fiona started talking to me about the portfolio, and then when I met with Ambassador Sondland on 10 July, I found -- he represented to me that his mandate from the President was to go make --

MS. VAN GELDER: Who?

MR. MORRISON: Sorry, Ambassador Sondland.

That his mandate from the President was to go make deals. And he expressed -- this is in the 10 July meeting -- he expressed his frustration that he felt that on occasion Fiona thwarted him, and she didn't tell him she was going to do that.

And Fiona's original advice was just steer clear of Gordon. And I said I thought what would be more effective and the approach I would pursue was I'd rather have him inside the tent, you know, rather than outside the tent. And so I wanted to know what he was doing and do my best to spy, you know, problems as opposed to being ignorant.

BY MR. CASTOR:

Q Okay. And did you have any success whatsoever? Those are noble things that, you know, you want to achieve, but did you have any success, do you think?

A I think so, but the examples I would offer are outside the scope of the inquiry and --

Q Okay. So you had a relatively amicable relationship with him?

A That's what I saw it, and I believe I had it.

Q Okay. Did he ever understand that -- I mean, the interagency process and the coordination role that the National Security Council performs is -- you know, has its complexities. Do you think he appreciated that?

A No.

Q Okay. And did you ever try to help him understand that if he's having communications with the Ukrainians about issues where there's, you know, a great level of complexity involved he might foul something up?

A Yes. Well, I'm sorry, please restate the question or re-ask the question.

Q That there's complexities involved here, and if he doesn't fully apprise himself of these complexities involving all the different interagency components he might foul something up?

A So specific to Ukraine --

Q Right.

A -- I will say that I did. I was very transparent with him, for example, with respect to trying to schedule meetings with the President, that I was not going to do that with him. I was going to do that through Bill Taylor. He was our chief of mission. He's the appropriate conduit. He should be having those discussions with the Ukrainians.

Q Or Ambassador Bolton, the front office of the NSC, right?

A What about Ambassador Bolton?

Q If there's going to be meetings scheduled with the President.

A If there would be meetings scheduled with the President, yes, I'd expect Ambassador Bolton --

MS. VAN GELDER: Can we identify which President we're having meetings with?

BY MR. CASTOR:

Q I'm sorry. President Trump.

A If we're talking about a meeting between President Trump and a foreign head of state or head of government, I would first make sure

Ambassador Bolton supported such an engagement. And if he did, then I would endeavor to help schedule it, and I would do that through the chief of mission, Bill Taylor.

Q Okay. Tell us about your experience with Ambassador Volker.

A I had known Kurt for some time before we both found ourselves serving in the Trump administration. And in the course of the Trump administration, I met with him two or three times. I talked to him two or three additional times.

Q And he had a little bit more experience than Ambassador Sondland?

A Yes. He was our perm rep to NATO.

Q Right. And did you ever have any communications with Ambassador Volker about Ambassador Sondland's operations here?

A Yes.

Q And what do you remember telling Ambassador Volker?

A I told him what I was aware of happening as had been related to me largely by Ambassador Sondland, but also by Ambassador Taylor.

And I asked Kurt: Kurt, what's your involvement here? What's your role here? What do you think of what's going on? And he expressed his concerns about what he saw going on. And we both agreed that it was problematic, and we were attempting to follow as best we could the normal policy process to achieve the right outcomes.

Q Did you ever ask Ambassador Volker to attempt to moderate Ambassador Sondland's activities?

A No.

Q Okay. Did he ever suggest to you affirmatively that he was doing his best with the Ambassador Sondland aspect of this?

A I'm hesitating, because I'm struggling to recall exactly how we discussed what he was trying to do.

I don't recall how he described any attempt to modulate Gordon.

Q Okay. Did you see Ambassador Volker as someone that might be able to modulate Ambassador Sondland, or was he beyond Ambassador Volker's ability to influence?

A I saw Kurt as a like-minded advocate for U.S.-Ukrainian relations, and I wanted to chiefly understand what his role in this side process was, because of -- I'd heard his name by both Ambassador Sondland and Ambassador Taylor as being involved, and I wanted to understand for myself what he was doing.

Q And what did you come to learn that he was doing?

A That he was trying not to get involved in what -- what he was doing. He saw that it was -- it was problematic.

Q And you never heard Ambassador Volker advocate for any sort of investigation into Vice President Biden, did you?

A I did not.

Q Or Hunter Biden?

A I did not.

Q Did you ever hear Ambassador Volker advocate for any sort of specific investigation of a U.S. person?

A I did not.

Q Getting back to the Warsaw visit, you had a meeting at the hotel, not in a hotel room, but with Mr. Danylyuk?

A I did.

Q And what can you tell us about that meeting?

A There were a couple topics. The one I will discuss is the -- he wanted to discuss the security assistance. He wanted to share his President's state of mind as to his confidence in the credibility of U.S. support for what Ukraine was doing in the security space chiefly. And so that's why I went over to meet with him.

Q Okay. And were you able to -- did he -- were you able to allay his concerns that the security assistance would be forthcoming?

A No.

Q Did you try to do that?

A I tried to explain to him, based on what I thought a foreigner needed to know about what was going on and President Trump's general approach to foreign assistance.

Q Okay. And you were still hopeful at this point the aid would be released?

A Yes.

Q And did you in any way signal to him that you were hopeful the aid would be released, given the bipartisan support for it?

A I tried to frame it more from the perspective of he -- I did not think he needed to despair. I did not feel comfortable pledging to him that the aid would be released, or I did not feel comfortable foreshadowing a positive outcome, but I also tried to let him know -- I tried to assure him that we were still in the review process and there was still time.

Q Okay. And did you relay to him that you were supportive of the aid being released?

A No.

Q Okay. Moving forward to after the Warsaw visit on September 7th, Ambassador Taylor relates in his opening statement on page 12 that you described a phone conversation that I guess was related to you from Ambassador Sondland. This is the third paragraph on page 12.

A Yes.

Q Ambassador Taylor writes, "Mr. Morrison said that he had a sinking feeling after learning about this conversation from Ambassador Sondland."

Let me ask you a question first. Was this the first time you had a sinking feeling after talking to Ambassador Sondland?

A No.

Q Okay. What do you remember Ambassador Sondland telling you on this day?

A If I recall correctly -- so we're talking 2 days later, September 7th. So this is after, I believe -- so this was, I think, the conversation where -- I don't know if this was the first conversation or the second conversation I had after 1 September with Gordon, but this was a conversation where Gordon related that both -- the President said there was not a quid pro quo, but he further stated that President Zelensky should want to go to the microphone and announce personally -- so it wouldn't be enough for the prosecutor general, he wanted to announce personally, Zelensky personally, that he would open the investigations.

Q Okay. Was this Ambassador Sondland talking?

A I was relating to Ambassador Taylor my conversation with Ambassador Sondland.

Q And do you think -- was Ambassador Sondland -- had he related to you that the President had said this?

A Yes.

Q Okay. And you had a sinking feeling about this. Could you explain why?

A Well, it's September 7th. September 30th is coming. I was growing pessimistic that we would be able to see the tumblers align to get the right people in the room with the Presidents to get the aid released.

I also did not think it was a good idea for the Ukrainian President to -- at this point I had a better understanding -- involve himself in our politics.

Q And did you communicate that to Ambassador Sondland when he -- did you try to urge Ambassador Sondland that these types of discussions were not helpful?

A Well, he was transmitting to me a conversation he had with the President. I mean, he'd already had the conversation with the President.

Q Right. But did you provide him any feedback, like if this comes up again, we shouldn't be doing this?

A No.

Q You spoke again with -- I'm sorry, Ambassador Taylor on the following day spoke on the phone with Ambassador Sondland. Was that ever related to you?

A I'm sorry, repeat that.

Q On the following day, September 8th --

A Yeah.

Q -- Ambassador Taylor writes: Ambassador Sondland and I -- meaning Ambassador Taylor -- spoke on the phone and he related that President Trump had suggested that he needed to clear things up with President Zelensky.

A I was not aware at the time that this happened.

Q Okay. Did you ever have any communications with Ambassador Taylor about this?

A About the phone call on September 8th?

Q Yes.

A Not that I recall, because this would soon be superseded by the decision to release the aid.

Q Okay. Did you know at this point in time that Ambassador Taylor had begun to work his own channel, expressing his concern about the separate process, as you describe?

A I guess I'm not necessarily familiar with what you're describing.

Q Are you aware that Ambassador Taylor expressed concerns up his own chain of command about Ambassador Sondland?

A No.

Q Okay. Did he ever relate to you that he had a communication with Ambassador Bolton during the Warsaw trip?

A Yes.

Q Okay. And what do you remember from that communication?

A He described for me that --

MS. VAN GELDER: Who's "he"?

MR. MORRISON: I'm sorry, fair point.

Ambassador Taylor described for me that his conversation with Ambassador Bolton, where essentially Ambassador Bolton suggested to Ambassador Taylor: If I were you, I would send a first-person cable back to Secretary Pompeo, describing to him your concerns about the impact of failing to provide the aid to Ukraine.

BY MR. CASTOR:

Q Okay. Did you ever come to learn whether Ambassador Taylor sent that cable?

A I did.

Q Okay. And did Ambassador Taylor ever tell you about it or did you just learn from public reports?

A He told me about it.

Q Okay. And at this point, was Ambassador Taylor getting -- did he ever talk to you about possibly resigning?

A Yes.

Q Okay. And what was -- what were those communications?

A He -- so this -- I mean, I forget exactly when, but he had a conversation about, has there been a change in policy? And I said it remained to be seen. And he said that he had explained to Secretary Pompeo when agreeing to take the post that if our policy was not going to be clear support for Ukraine, Ukrainian security, that he could not serve in the post and he would resign.

Q And did you do anything with that information? Did you try to alert Ambassador Bolton or anybody that we need to keep Ambassador Taylor on the team here?

A I kept -- so I would tell Ambassador Bolton -- I don't know that I ever specifically referenced a conversation I had with Ambassador Taylor with Ambassador Bolton except for possibly the conversation on September 7th, because -- I think it was September 7th -- because it discussed when Ambassador Sondland -- in that conversation, Ambassador Taylor discussed that Ambassador Sondland had told him: No, I don't actually think it will be enough for the prosecutor general to say it. I think the President is going to want to hear from the President. I made a mistake.

So I remember having that discussion with Ambassador Taylor.

And -- I'm sorry, was that responsive?

Q I think so. But did you ever put your head together with Ambassador Bolton or other officials about now Ambassador Taylor has some real concerns about this -- you describe it as a separate process.

A Uh-huh.

Q Ambassador Taylor calls it an irregular process.

A Uh-huh.

Q Different people here have characterized it differently.

So did you have any -- did you try to communicate to anybody at the State Department or up the NSC chain of command, like, Ambassador Taylor has some serious concerns here, we should do something to alleviate them?

A Well, I -- in traveling to Ukraine, I spent some time talking to Ambassador Bolton about who Ambassador Taylor is and about our conversations and about Ambassador Taylor's sense of what was happening on the ground in Ukraine.

I don't recall if Ambassador Bolton was familiar with Ambassador Taylor from prior government service. I don't recall that I ever conveyed to Ambassador Bolton Ambassador Taylor's view that if there had been a change in policy he would have to resign.

Q Okay. During your conversations with Ambassador Bolton at this time did you signal to him that what Ambassador Sondland was doing was not helpful?

A I kept Ambassador Bolton -- on a few occasions, when there had been some new development from Gordon, something new he briefed me on that he was doing, I would brief Ambassador Bolton and make sure Ambassador Taylor was tracking.

And so I had a number of conversations with Ambassador Bolton where we strategized on how we would get the President to yes on the security assistance, and we were both mindful in those discussions about Gordon is this free radical out there.

Q And as it was getting closer to the end of the fiscal year, that free radical element could have turned real problematic, right?

A We were mostly focused on how do we see us getting this done. Because it wasn't -- you know, in some respects, we weren't actually focused on September 30th. We were focused on September 15th, because of the notice-and-wait requirement on State Department assistance.

Q Okay. And did you ever make a determination, like, let's get him out of this process so we can get this done?

A So I never made that determination, because I think at my level I didn't think I could do that, because Ambassador Sondland represented he had access to the President.

I think -- I do recall -- I know Ambassador Bolton was frustrated with Ambassador Sondland's involvement in these issues -- frankly, involvement in a lot of issues -- and we were both frustrated that Ambassador Sondland's essentially direct boss didn't seem to be engaged in reining him in.

Q And his direct boss was Secretary Pompeo?

A Yes.

Q Did you know if Ambassador Bolton tried to talk to -- communicate with Secretary Pompeo?

A About Ambassador Sondland?

Q Yes.

A I do not.

Q Okay. Do you know if Secretary Pompeo was aware of these concerns?

A Which concerns?

Q About Ambassador Sondland involving himself in what you described as a separate process.

A I am not aware.

Q Okay. Did you have any conversations with Counselor Brechbuhl?

A About Ukraine?

Q About Ambassador Sondland.

A No.

Q Okay. Did you have any -- did you express your concern about Ambassador Sondland's role to anybody at the State Department other than Ambassador Taylor?

A No.

Q Okay. So you didn't have any discussions with George Kent or --

A Not about Ambassador Sondland.

Q Assistant Secretary Reeker or Ambassador Reeker?

A Not about Ambassador Sondland in this process.

Q Okay. How about other elements of this separate process, such as Rudy Giuliani?

A No.

Q Okay. And were there any other elements of this separate process that you did discuss with Ambassador Reeker?

A No. What I discussed with Ambassador Reeker was, gosh, Gordon is a problem.

Q Okay. Did he agree?

A Yes.

Q Did everyone agree on that topic? Did anybody think he was adding value here?

A Gordon did.

Q Did you -- when did you come to learn that there was this statement that was being discussed with Mr. Yermak about investigations?

MS. VAN GELDER: You asked the question: Did you? I mean, what we're doing is not -- we've already agreed what we're doing is not encompassing anything that is then in preparation of this.

BY MR. CASTOR:

Q Sure.

Did you become aware that there was draft language of an anticorruption statement that the Ukrainians were working on?

A I did become aware.

Q And when did you become aware of that?

A My clearest recollection of when I became aware is in reviewing the public disclosure of Ambassador Volker's text messages.

Q Okay. So this is after he started?

A I was surprised to see my name in text messages that I was not aware of.

Q Okay. Did you have any advance notice that these text messages were being released?

A No.

Q So you were surprised when they were?

A My surprise was my name was in them.

Q Okay. And you were surprised -- were they your text messages?

A No.

Q Okay. They were just referring to you in the text messages?

A Yes.

Q Is that the first time that you learned that there was a discussion of an anticorruption statement being drafted by the Ukrainians for possible issue?

A As near as I can recall, yes.

Q Okay. So you weren't aware of this in real time?

A No.

Q Were you aware in real time that there was some discussion of having President Zelensky give an interview where he would communicate his anticorruption bona fides?

A Beginning September 1, when I heard from Ambassador Sondland, yes, I was aware that there was that idea that, hey, he should do this --

Q Okay.

A -- from Ambassador Sondland.

Q And did you have any concern about that?

A Yes.

Q And did you communicate your concern to Ambassador Sondland?

A I communicated my concern to Ambassador Taylor, because I wanted him to be in a position to take action to advise the Ukrainians not to do it.

Q Okay.

A And I communicated my concerns to Ambassador Bolton, who directed me to communicate them to NSC Legal.

Q Okay. And ultimately, there was no interview, correct?

A Correct.

Q So that was a good result?

A Yes, for the time.

Q Were you comfortable with any aspect of this public statement or public affirmation that Zelensky, you know, make at the behest of

U.S. -- you know, the U.S. Government?

A So keeping in mind when I learned about a statement, I was not comfortable with any idea that President Zelensky should allow himself to be involved in our politics.

Q Okay. But going back to the sidebar that Sondland had with Yermak in Warsaw?

A Going back to it, was I comfortable with --

Q Well, I want to just refer you back to the sidebar --

A Yes.

Q -- Sondland had with Yermak. At that time, Sondland is trying to get the Ukrainians to do something public, correct?

A Yes.

Q With regard to investigations?

A Yes.

Q And I guess my question is, did you have a concern with anything related to, you know, investigations, or was it just specific investigations?

A My concern was what Gordon was proposing about getting the Ukrainians pulled into our politics.

Q Okay. So if the Ukrainians had issued a generalized statement about anticorruption efforts and reform, that would have been okay with you?

A They had, in fact.

Q Okay. So it's only when they get into Burisma and 2016 and the Bidens and so forth that it became problematic in your mind?

A Yes.

Q Going back to the spring of 2019, there were a number of narratives circulating in the media with Rudy Giuliani and John Solomon and The Hill relating to some of these issues that we discussed about the black ledger, about specifically Ambassador Yovanovitch. Did you -- when did you first come to know about these issues and their impact?

A The first I've ever heard of a black ledger is you just now.

Q Okay. So you're unfamiliar with the issue relating to Paul Manafort?

A I'm aware of Paul Manafort. I'm aware of, you know, the prosecution about Paul Manafort. I'm aware he was doing business up until a point in Ukraine.

Q Okay. I'll just say one more thing and I'll turn it over.

Were you aware of an investigative journalist in the Ukraine, Serhiy Leschenko, that published information about the black ledger?

A No.

MR. CASTOR: Okay. My time is up.

MR. GOLDMAN: Why don't we take a half-hour break for lunch? Is that good? And we'll return at 12:45.

[Recess.]

[12:53 p.m.]

THE CHAIRMAN: Let's go back on the record. Forty-five minutes to Mr. Noble.

BY MR. NOBLE:

Q So, Mr. Morrison, I'd like to go back to -- I believe in the last round you referenced a July 10th meeting with Ambassador Sondland. Was that at the White House?

A Yes.

Q And can you just tell us what happened during that meeting, what you discussed with Ambassador Sondland?

A Yes. It wasn't -- there was no particular policy discussion. It was mostly -- by that point, it was fairly well-known I was succeeding Fiona.

And Ambassador Sondland came in and just made clear he did not believe he had a constructive relationship with Fiona, her office, the NSC overall, and he was -- he hoped that that was -- that this would be an opportunity to turn the page and have what he would believe to be a more constructive relationship.

Q Did he say anything about how he came to be involved in Ukraine, given that he's the Ambassador to the EU? Did he explain where he was getting his authority from?

A I don't recall if he explained in that meeting, but I do recall Ambassador Sondland making clear that he was involved in Ukraine because the President wanted him involved in Ukraine.

Q Do you know whether Ambassador Bolton ever spoke to the

President, President Trump, about Ambassador Sondland and his involvement and your concerns about his involvement? Just the fact of the conversation, whether there was a conversation or not.

MS. VAN GELDER: Whether he knows?

MR. NOBLE: Exactly.

MR. MORRISON: Between Ambassador Bolton and the President about Ambassador Sondland?

BY MR. NOBLE:

Q Exactly.

A I am not aware.

Q Okay. What about any conversation between Ambassador Bolton and the President about Rudy Giuliani and his role in Ukraine?

A I am not aware.

Q I want to just ask you a quick question about something else that's in Ambassador Taylor's testimony.

On page 6 of his opening statement, if you go down to the third paragraph, it states that on July 10th, Ambassador Taylor had conversations with Oleksandr Danylyuk and Andrey Yermak.

Oh, I'm sorry, next paragraph. The same day, July 10th, he met with President Zelensky's chief of staff, Andriy Bohdan and then Foreign Policy Adviser to the President and now Foreign Minister Vadym Prystaiko, who told Ambassador Taylor that they had heard from Mr. Giuliani that the phone call between the two Presidents was unlikely to happen and that they were alarmed and disappointed. Ambassador Taylor said he relayed their concerns to Counselor Brechbuhl.

Did Ambassador Taylor ever tell you that Mr. Giuliani was having such communications directly with Ukrainian officials? Because here he says he alerted at least Counselor Brechbuhl as of July 10th. Would he have ever alerted you, or did he ever alert you to these conversations?

A I have no clear recollection of him inform -- of Ambassador Taylor telling me about Mr. Giuliani's engagements with Ukrainian officials. We were chiefly focused on Ambassador Sondland's engagements with Ukrainian officials.

Q Fast-forwarding a little bit to August, following up on something that you testified about earlier, you said that there was something that prompted you to want to shield your people who are involved in Ukraine policy, or something to that effect?

A Uh-huh.

Q Can you explain to us what prompted you to, you know, have those concerns or want to shield your people?

A It -- not precisely. It may have just been the accumulation of data points, but at some points I just became concerned that this parallel process was going to turn into something -- and here we are -- and I wanted to keep my people focused on their mission and not have them dragged into anything if I felt like I could handle it.

Q So there was nothing that you can recall in particular that prompted this concern at a particular date?

A It was -- it was -- so there were the two things I referenced. It was, you know, I had been advised when I took over the shop by Dr.

Hill and her deputy and others in the office about Alex's judgment. Alex was the director responsible for Ukraine. So I wanted to manage very carefully his involvement.

But I also, you know -- I made sure that I was the one to handle the engagements with Ambassador Taylor, I didn't defer them down to my deputy or to Alex, because I just -- I had concerns that this issue, the injection of this parallel process, it just -- I was concerned about it.

Q Who was your deputy?

A John Erath.

Q Was he your deputy -- oh, to this day?

A Yes.

Q Did you inherit him from Dr. Hill?

A Yes. Well, yes.

Q So to speak?

A Yes.

Q Okay. So I'd like to ask you about a series of the interagency meetings to discuss the security assistance.

So I believe there initially was a sub-PCC meeting on July 18th. You wouldn't have attended that meeting, correct?

A No.

Q Okay. Did you get a readout after that meeting happened?

A Yes.

Q Who did you get the readout from?

A Alex.

Q Okay. What did he tell you?

A That at his level, the departments and agencies were aligned, that they -- that everyone supported the ongoing disbursement of the security-sector assistance.

Q Did he tell you that there had been an announcement made at the sub-PCC about the hold?

A I think he indicated that OMB was present at the sub-PCC, and they had elaborated on what we had already heard about the hold and the extent of the hold, that it covered all dollars, DOD and Department of State, and it was -- it was beyond funds not yet obligated to include funds that had, in fact, been obligated but not yet expended.

Q When was the first time you learned about the hold?

A So I don't have a clear recollection. This was not a scheduled meeting between Dr. Kupperman and myself. But it was some -- it was on or about 15 July.

Q Okay. And what did Dr. Kupperman tell you about the hold?

A Only that OMB had -- the chief of staff had informed OMB -- I should be clear -- the chief of staff's office had informed OMB that it was the President's direction to hold the assistance.

Dr. Kupperman stated that we owe the President the views of the interagency, make sure all the departments and agencies are aligned as to the importance of the aid, in order to provide the President on up through the interagency process the endorsement of the interagency behind the continuation of the aid.

Q And are you aware that by that point, July 15th, when you learned that, the Department of Defense, in consultation with the Department of State, had already certified that Ukraine had met the preconditions to receive the aid under the National Defense Authorization Act?

A I don't know when I became aware of that. It might have been at the PCC I chaired. But I did become aware of that.

Q Okay. Let's talk about the PCC you chaired. When did that take place?

A I believe it was 23 July.

Q Okay. And did anyone from OMB participate at that meeting?

A Yes.

Q Who were the representatives of OMB?

A There were two personnel from OMB. I don't -- I did not bring with me their names.

Q Okay. What, if anything, did the -- either of the reps from OMB say about the hold at that meeting?

A That the hold had been imposed by the chief of staff's office, and they had been informed it was at the direction of the President.

Q What were the views of the other interagency participants at the meeting?

A That the aid is essential to Ukraine's security, the U.S. relationship with Ukraine, and it should be released at the earliest opportunity.

Q Was there any reason provided by the OMB reps or anyone else at the meeting for the hold?

A No.

Q Where did you -- what were the do-outs or next steps decided at the PCC?

A We would have a Deputies Committee meeting.

Q Was there any discussion of the legality or illegality of the hold at the PCC meeting?

A Yes.

Q What was -- can you explain what was discussed?

A Because of the nature of the appropriations, is it actually legally permissible for the President to not allow for the disbursement of the funding.

Q And what law would be possibly violated if the disbursement --

A I'm going to hesitate from providing a legal opinion. I know there were various views. And up until the release of the assistance there were various views as to whether or not there was, in fact, a legal problem.

Q Okay. Who was raising concerns that there may be a legal problem?

A OSD.

Q That's Office --

A Office of the Secretary of Defense.

Q DOD, okay. And did they raise concerns about possible violations of the Impoundment Act?

A Yes.

Q So you said the next step was going to be a deputies meeting. Was there a deputies meeting?

A There was.

Q When did that take place?

A I don't recall exactly.

Q Was it on or about July 26th, a few days within the PCC?

A About a week later.

Q Okay. And did you participate in that meeting?

A Yes.

Q Can you tell us what happened at that meeting?

A Deputies endorsed that the principals meet and recommend to the President the prompt disbursement of the funding, among other things, but the only one that's within the scope of this meeting.

Q Do you know whether the NSC ever issued a statement of conclusions after the deputies meeting?

A We did.

Q And the agreed next steps were to recommend a principals meeting?

A Yes.

Q Okay. Do you know whether the principals meeting ever took place?

A It did not.

Q Why not?

[1:05 p.m.]

MR. MORRISON: Ambassador Bolton and I discussed launching a Principals Committee meeting, and as a result of that discussion, we opted not to do it.

BY MR. NOBLE:

Q Going back to the deputies meeting for a minute, was there any reason provided at that time that meeting for the hold?

A I believe at that meeting OMB represented that -- and the Chief of Staff's Office was present -- that the President was concerned about corruption in Ukraine, and he wanted to make sure that Ukraine was doing enough to manage that corruption.

Q Okay. Who were the representatives from OMB and the Chief of Staff's Office at the deputies meeting?

A To the best of my recollection, OMB was represented by Mike Duffey and the Chief of Staff was represented by Rob Blair.

Q Was there a separate PCC meeting on July 31st?

A Yes.

Q There was. Did you attend that PCC meeting?

A I chaired it.

Q Okay. What was the topic of the meeting?

A It's beyond the scope of this inquiry.

Q Okay. Did the issue of the freeze on Ukraine assistance come up at that PCC meeting?

A Yes.

Q Okay. Can you tell us what was discussed about the assistance?

A What was the status in getting it released.

Q Okay. And did anybody provide a report at that meeting?

A I did.

Q What did you report?

A It had not yet been released.

Q Okay. Did you know why?

A At that point, we were still waiting for an opportunity for principals to engage the President.

Q Okay. Why did you and Ambassador Bolton decide not to convene the principals meeting?

MS. VAN GELDER: That's a deliberative process that we are not going to -- someone else is going to have it to decide if he can answer that. But it is true that, as a result of that, there was no meeting.

THE CHAIRMAN: You know, at this point, let me just state for the record, we don't recognize that deliberative process privilege. But we will add this to the list that we can discusses at a break.

MS. VAN GELDER: I appreciate that.

BY MR. NOBLE:

Q At some point, did the idea of drafting a Presidential decision memorandum on the frozen Ukrainian assistance arise?

A Yes.

Q Whose idea was it to draft the memo?

A Ambassador Bolton.

Q Okay. Did he instruct you to draft the memo or have your staff draft the memo?

A Yes.

Q Okay. Was the memo drafted?

A Yes.

Q Who drafted it?

A Alexander Vindman was the principal author. I was the final authority. It went through the normal NSC coordination process to prepare such a document for the President.

Q And what was the recommendation in that memo?

A That he release the aid.

Q Okay. Did Mr. Vindman, or Colonel Vindman make that recommendation?

A It was, at that point, the deputies-endorsed position.

Q Okay. And you agreed with that position?

A Yes.

Q Okay. Do you know whether the memo was ever provided to the President?

A I do.

Q When was it -- was it provided?

A No.

Q The memo was never provided to the President?

A No.

Q Okay. Why not?

A Because Ambassador Bolton decided not to.

Q Why didn't Ambassador Bolton want to provide the memo to the

President?

A I think I'll let Ambassador Bolton speak to that point when he appears before you.

MS. VAN GELDER: We can put this on the list.

MR. NOBLE: Okay. We'll add that to the list too, I guess.

THE CHAIRMAN: Can I just ask for clarification, but you do know the reason why Ambassador Bolton made the decision not to provide that memo to the President?

MR. MORRISON: I do, Chairman.

THE CHAIRMAN: Okay. Thank you.

BY MR. NOBLE:

Q Do you recall the date that the memo was finalized?

A I mean -- so I would say it was final and ready for the President on 15 August when Ambassador Bolton initialed it.

Q Okay. Yeah, that was my question, so thank you. And are you aware that Ambassador Bolton had a meeting with the President the next day at Bedminster?

A Yes.

Q Okay. What was that meeting about?

A Outside the scope of this discussion.

Q It was about Afghanistan?

A It's been reported in the press.

Q Okay. Do you know who else attended that meeting, what other principals attended that meeting?

A I do.

Q Can you tell us?

A So I know some of them. I'm not going to -- I did not brush up on this detail in preparing to appear today. But I believe General Dunford participated by secure video teleconference. I believe Acting Secretary Shanahan participated. I believe that -- I know the National Security Advisor did. I believe the White House Chief of Staff did. I believe the Secretary of State did.

Q And do you know whether or not they discussed the ongoing hold on the Ukrainian assistance?

A I do.

Q Do you know what they discussed? Was it a discussion amongst themselves, or was it a discussion with the President? Was it a discussion amongst the principals themselves, or was it discussion between the principals and the President?

[Discussion off the record.]

MR. MORRISON: So, I'm sorry. I --

MR. NOBLE: Okay. Hold on.

[Discussion off the record.]

BY MR. NOBLE:

Q Okay. I apologize. Yeah, so my question was, was there a discussion amongst the principals about the Ukrainian assistance, not involving the President? We'll just take it one step at a time. To your knowledge.

A Yes.

Q Okay. And --

A So let me step back, and I may, if I have the prerogative, ask the court reporter -- because I want to make sure I heard your preceding question correctly. Did you ask me am I aware of whether or not they discussed Ukraine assistance with the President at that time?

Q I may have phrased it that way, so let's just --

A That's the way I --

Q Yeah, let's just make the record clearer. So do you know -- well, one step at a time. Do you know whether the principals at Bedminster had a discussion about the Ukraine assistance?

MS. VAN GELDER: Among themselves.

MR. NOBLE: What's that?

MS. VAN GELDER: Among themselves.

BY MR. NOBLE:

Q Among themselves, yes.

A I do know that they had a discussion among themselves.

Q Okay. And do you know whether they raised that issue with the President at Bedminster?

A I do know that they did not.

Q Okay. Do you know why not?

A Because the other subject matter of that meeting consumed all the time.

Q Okay. Do you know whether it was Ambassador Bolton's intention to raise the issue, given that he had just signed off on the memo --

A He was --

Q -- at the meeting?

A He wanted to be prepared to raise it if the opportunity to presented itself.

Q Okay. And so, at that meeting, it ultimately -- that issue did not come up on the 16th?

A Not with the President.

Q Not with the President. And then, at some point thereafter, is that when Ambassador Bolton decided not to raise the issue or to give the memo to the President?

A He decided not to raise it on the 16th because of the other subject matter.

Q Okay.

A And we then proceeded to look for another opportunity to raise it.

Q Okay. And that's when you -- you said you and Ambassador Bolton had a conversation, and the decision was made not to give the memo to the President.

A No. I said Ambassador Bolton and I discussed whether or not to pursue a Principals Committee meeting. And I said I was aware of why Ambassador Bolton opted not to provide the PDM to the President.

Q Okay.

Did you take any steps, following Ambassador Bolton's signing off on the memo, to try to get this issue -- to tee it up for the President again?

A Yes.

Q What steps did you take?

A I proceeded to coordinate among my interagency peers to see if we could establish when the right group of principals would be in the same place at the same time that we could get them in with the President.

Q Okay. And were you ever able to coordinate the principals in that way to tee up a meeting?

A No.

Q Okay. Was it just a scheduling issue, or was there some other issue?

A Just a scheduling issue.

Q Okay.

Do you know whether Ambassador Bolton ever had a one-on-one conversation with the President about the frozen assistance after August 15th?

A Yes.

Q Did he?

A Yes.

Q What about Secretary of State Pompeo? Do you know whether he ever had a one-on-one meeting or another meeting with the President about the Ukrainian assistance after August 15th?

A Based on open-source reporting and, I believe, Ambassador Taylor's statement, I understand that Secretary Pompeo had a meeting with the President wherein he took Ambassador Taylor's first-person cable to discuss the Ukraine topic with the President.

Q Okay. Do you know whether or not that in fact occurred?

A No.

Q Yeah. So Ambassador Taylor's memo, I believe, was transmitted --

A The first-person cable.

Q The first-person cable -- did I say "memo"?

A Yes, sir.

Q I apologize. The cable, the first-person cable, was transmitted on August 29th. Is that right?

A That sounds correct.

Q Okay. And did you get a copy of it at that time?

A I did.

Q Okay. Were you on the distribution?

A No.

Q Okay. What did you do when you received a copy of the cable?

A I reviewed it, and I shared it with Ambassador Bolton.

Q Okay. And then you said that it's been publicly reported that Secretary of State Pompeo -- or Ambassador Taylor said that Secretary of State Pompeo took the memo to the White House, to a meeting at the White House.

A Yes.

Q Do you know when that meeting occurred?

A No.

Q Okay. Do you know anything about that meeting, like what happened at that meeting?

A No. I'm not aware that the meeting occurred. I only have what Ambassador Taylor said.

Q Okay. So you don't have any independent, personal knowledge that Pompeo brought the cable to the White House, met with the President, and --

A I'm not trying to be cute. I know --

Q Yeah.

A -- Secretary Pompeo has, whenever he and the President are in town at the same time, has a one-on-one lunch with the President.

Q Okay.

A Could it have come up in that occasion? Perhaps. I am not aware that it did or which lunch he brought it up in, if ever.

Q Okay. So your only knowledge is just from what you read in Ambassador Taylor's statement --

A Correct.

Q -- that that meeting occurred?

A Correct.

Q Okay.

So, sticking with that cable, the idea, the genesis of that cable was Ambassador Taylor's conversation with Ambassador Bolton in Kyiv, correct?

A That was the impetus for sending the cable.

Q The impetus. Did you participate in that conversation between Ambassador Taylor and Ambassador Bolton --

A No.

Q -- in Kyiv? Now, did you -- you helped prepare for Ambassador Bolton's visit to Kyiv?

A Yes.

Q Okay. And, in doing so, did you speak with Ambassador Taylor as part of that preparation?

A Yes.

Q Okay.

I want to go back to the text messages, if we could, and turn to page 28. And if you go to August 27th at 7:34 a.m. -- these are text messages between Bill Taylor and Kurt Volker. At 7:34, Bill Taylor writes, "Bolton said he talked to you and Gordon briefly, nothing specific. What should they talk about? Tim says Bolton wants to stay out of politics."

I'm assuming "Tim" is a reference to you?

A I would assume.

Q Do you recall a conversation with Ambassador Taylor where you conveyed that Ambassador Bolton wanted to stay out of politics?

A I don't recall a specific conversation, but that strikes me as something I would have said, because I also explained to him I wanted to stay out of politics.

Q And what did you mean by staying out of politics?

A We wanted to stay away from the Gordon channel.

Q Did you also want to stay away from the Burisma bucket of issues, as you've referred to them?

A Yes.

Q Okay. And I believe you testified earlier that you perceived -- or you believe that if President Zelensky were to make a public announcement about investigating the Burisma bucket of issues, that that would have entangled him in U.S. domestic politics. Is that right?

A I became concerned about that.

Q So was that kind of the same concern that you were conveying to Ambassador Taylor that he is paraphrasing here?

A I don't recall precisely when I told Ambassador Taylor that Ambassador Bolton wants to stay out of politics, but that strikes me as a reasonable conclusion.

Q Okay.

And the Burisma bucket of issues, that was what Dr. Hill had warned you about during your transition period. Is that right?

A Correct.

Q Okay. And it's fair to say also that the Burisma bucket of issues were referenced in the President's July 25th call with President Zelensky?

A It's more -- I mean, it references content from that call. It's more -- the way I think about the Burisma bucket of issues is it's Burisma, the Ukrainian firm, it's Hunter Biden, it's the election server and CrowdStrike and those issues.

Q Yeah. And at least several of those things were raised by President Trump in his call with President Zelensky on July 25th, right?

A Yes.

Q Okay.

So, on August 28th, Politico published an article about the U.S. freeze. Were you familiar with that article?

A I saw it when it came out and any number of people sent it to me.

Q Okay. And I believe you testified earlier that, in Warsaw, the Ukrainians seemed surprised about the announcement of the freeze?

A I don't know that I said they were surprised. I know they were concerned about it.

Q They were concerned about it.

A Yes.

Q Okay.

Now, in preparation for the Warsaw bi-lat between Vice President Pence and President Zelensky, I believe you said that, after it became known that President Trump was not going to attend, you helped prep the Vice President or helped his staff prep the Vice President for that meeting?

A I made sure -- Ambassador Bolton conducted the briefing of the Vice President. I helped to make sure that he had all of the latest. And I made sure that one of Vice President Biden's policy staffers --

MS. VAN GELDER: Whoa. I think you're a little --

MR. MORRISON: What did I say?

MS. VAN GELDER: Biden.

MR. MORRISON: Oh, excuse me. I stayed up late watching the game.

I made sure that Vice President Pence's staff were prepared based on what we had seen in our discussions, including with President Zelensky in Ukraine.

BY MR. NOBLE:

Q Okay. And which staff member was that?

A Jennifer Williams.

Q Was Keith Kellogg involved in preparing the Vice President for the bi-lat?

A I can only speculate that he was.

Q Okay.

In advance of the Warsaw meeting, do you know whether the Vice President knew about the conversation that President Trump had had with President Zelensky on July 25th?

A I believe he did.

Q Do you know whether he had been provided a copy of the MEMCON?

A I don't have firsthand knowledge.

Q Do you have secondhand knowledge of that?

A I have a -- I have a faint recollection that he had been provided and had on his plane a copy of the MEMCON.

Q On the plane to Warsaw?

A On his aircraft, yes.

Q Okay. Do you know who provided the Vice President with the MEMCON or would have provided the Vice President with the MEMCON?

A I mean, no. His staff would have contacted the NSC Executive

Secretary and asked for a copy for the Vice President.

Q I mean, is it typical that if the Vice President is meeting with a foreign head of state that MEMCONs of recent conversations between the President and that head of state would be included in a briefing book for the Vice President?

A Yes.

Q Okay. Did you ever get a copy of the briefing package that the Vice President received for the Warsaw bi-lat?

A No, but I helped Jennifer prepare parts of it.

Q Okay. Do you know whether she included the MEMCON from the July 25th call?

A No. As I said, I believe -- I have a faint recollection that she told me the Vice President reviewed it on the plane. And it's usually the case that when there's a head-of-state phone call, the Vice President would receive a copy of the MEMCON as soon as it's available the next day in his PDB.

Q Okay. What's "PDB," for the record?

A The President's daily briefing from the Intelligence Community.

Q Okay.

So I want to ask you some more questions about the conversation that Ambassador Sondland reported to you that he had with Andrey Yermak on the sidelines of the Warsaw bi-lat. And I just want to find that in Ambassador Taylor's statement. Page 10.

So -- and you testified about this earlier in questioning by my colleague. So can you just tell us, when did this conversation between Ambassador Sondland and Mr. Yermak occur? How long after the bi-lat between the Vice President -- our Vice President and President Zelensky?

A About 5 minutes.

Q Oh, it was like, it happened right afterward?

A So the Vice President and his delegation left the facility -- this is on the second floor, mezzanine level of the Warsaw Marriott. And it was in one of the meetings rooms. And so the Vice President and his delegation departed, President Zelensky and his delegation departed, and some of the lesser people stayed behind.

Q There are no lesser people. There are other people left behind, right?

A Mere mortals.

Q Mere mortals. So who else was present? Who else remained?

A Secretary Perry and a number of his aides. And I only can clearly recall Mr. Yermak and Ambassador Sondland and myself.

Q Did you see Ambassador Sondland speaking to Andrey Yermak?

A I did.

Q Was anybody else speaking with them at the same time?

A Not that I can recall.

Q Okay. Do you know whether Ambassador Sondland ever told anyone else about the conversation that he'd just had with Andrey Yermak?

A I do not know.

Q So, when he reported it to you, it was just you and Ambassador Sondland speaking?

A I mean, they broke their conversation, and Gordon literally walked over to me, said, this is what we talked about.

Q Okay. And during that conversation, as Ambassador Sondland recounted it, he told Mr. Yermak that the security --

MS. VAN GELDER: Ambassador Taylor?

BY MR. NOBLE:

Q No, Ambassador Sondland told Mr. Yermak that the security assistance money would not come until President Zelensky committed to pursue the Burisma investigation. That's what Ambassador Taylor wrote, and you say that's correct.

A No. I said I disagree. I recall Ambassador Sondland telling me that what he conveyed to the Ukrainian Presidential advisor, Mr. Yermak, was that the prosecutor general would be sufficient to make the statement to obtain release of the aid.

Q Okay. And I believe you testified that that caused you concern.

A Yes.

Q Is that right? Why did it cause you concern?

A Because, at that point, I saw an obstacle to my goal, as directed to me, to get the process to support the President making the decision to release the security assistance -- security-sector assistance.

Q Okay. Why did you think that Ambassador Sondland's proposal would be an impediment to you achieving your policy goal?

A I mean, it was the first time something like this had been injected as a condition on the release of the assistance. So it was not something I had been tracking as part of our process for calculating how do we get the President the information he needs to make the decision that it was within American interest to release the assistance.

Q Okay.

So Ambassador Taylor, on the top of page 11, says that this was also the first time that he had heard that the security assistance and not just the White House meeting was conditioned on the investigation.

So are you saying that this was the first time that you'd ever heard anyone say that the release the security assistance was going to be conditioned on the Burisma bucket investigations?

A Yes.

Q Okay. And did you report what Ambassador Sondland told you to anyone?

A Yes.

Q Who did you report it to?

A Well, beyond Ambassador Taylor, I reported it to Ambassador Bolton. And when I got back to the States, I reported it to NSC Legal -- John Eisenberg, Michael Ellis.

Q Okay. And when did you report it to Ambassador Bolton?

A About an hour or two after the debriefing by Ambassador Sondland occurred.

Q Okay. And what was his reaction?

A His reaction was: Stay out of it, brief the lawyers.

Q Okay. Did you understand what he meant by "stay out of it"?

A Fairly plain -- plain meaning.

Q What was --

A Stay out of it.

Q He's your superior, right? And he's saying, stay out of it. So what do you take that to be, in terms of the instruction to you as to how to handle this issue?

A Continue not to be engaged in this parallel track.

Q Okay. And did you think that was appropriate advice?

A Yes.

Q Why?

A Well, it comported with my instincts.

Q And what were your instincts?

A To stay out of this parallel track.

Q Okay. Fair enough.

And I believe you testified earlier that Ambassador Bolton told you to report it to the lawyers to make sure the lawyers were tracking it, correct?

A Correct.

Q But that just confirmed your own instinct that you should report this to the lawyers. Is that right?

A Correct.

Q Okay. Why did you think the lawyers needed to be aware that Ambassador Sondland was telling the Ukrainians that the release of the assistance was going to be conditioned on their announcement of the Burisma-bucket-related investigations?

A Because we -- my role -- Ambassador Sondland doesn't work for me. My role is to report it up to my chain of command, make sure the President -- make sure NSC Legal -- the issue with Eisenberg and Ellis is they're dual-hatted; they're also in the White House Counsel's Office. So they are not just the NSC legal advisors; they are the President's attorneys as White House counsel.

And we wanted to make sure that there was a record of what -- so I will say I wanted to make sure, because I don't know precisely what Ambassador Bolton wanted to make sure -- I wanted to make sure, in going to the lawyers, that there was a record of what Ambassador Sondland was doing, to protect the President.

Q And did you know whether Ambassador Sondland was working at the direction of anyone else when he was conveying this message to the Ukrainians?

A He did not -- no, I did not.

Q At that time. But, later on, I believe you -- Ambassador Taylor recounts some conversations that Ambassador Sondland had with the President concerning these investigations.

A I'm sorry. Please repeat that.

Q I'll -- maybe if we just go in order, it'll make more sense.

A Okay.

Q So let's fast-forward to the September 7th call. I believe that's on page 12 of Ambassador Taylor's opening statement. So there, it's the third paragraph down. It says, 2 days later, on September 7th, Ambassador Taylor had a conversation with you in which you described a phone conversation earlier that day between Ambassador Sondland and President Trump.

And let me just stop you there. How did you know about this conversation between Ambassador Sondland and President Trump?

A I believe because he called me not long after --

MS. VAN GELDER: He?

MR. MORRISON: He, Ambassador Sondland, called me not long after to let me know of it.

BY MR. NOBLE:

Q Okay. And was this one of the calls that you were able to confirm that Ambassador Sondland did have with President Trump?

A No.

Q You were not able to confirm it one way or the another?

A I don't know that I tried to. I think I had just other things going on that morning.

Q Okay.

Ambassador Taylor says that you said that he -- you -- had a sinking feeling after learning about this conversation from Ambassador Sondland. According to you, President Trump told Ambassador Sondland that he was not asking for a quid pro quo, but President Trump did insist that President Zelensky go to a microphone and say he is opening investigations of Biden and 2016 interference and that President Zelensky should want to do this himself.

Is that an accurate recitation of what you told Ambassador Taylor on September 7th?

A Yes.

Q Okay. Do you recall anything else about the conversation with Ambassador Taylor? Did you tell him anything else about what Ambassador Sondland and President Trump had discussed?

A I mean, not to my knowledge. I believe what's related here by Ambassador Taylor is correct.

Q Okay. Do you recall anything else about the conversation that you had with Ambassador Sondland when he was telling you about his conversation with the President?

A I'm sorry, I don't. If there's more, please ask; maybe it'll jog my memory. But no.

Q No, I mean, I'm asking you what you recall. Was this --

A I think this is an accurate retelling of what my conversation was like with Gordon as I related it to Ambassador Taylor.

Q How long was your conversation with Ambassador Sondland?

A Not very long.

Q So you just don't recall anything else that Ambassador Sondland told you during that phone call?

A I do not.

THE CHAIRMAN: Can I -- if I could. And I apologize, I was absent, I think, when you covered this the first time around.

MR. MORRISON: Sir.

THE CHAIRMAN: If I understand your testimony, in the conversation with Ambassador Sondland, you know, 5 minutes after he talked with Mr. Yermak, Ambassador Sondland told you that he had conveyed to Mr. Yermak that the military aid wouldn't be released until the -- was it the Attorney General?

MR. MORRISON: The prosecutor general.

THE CHAIRMAN: -- prosecutor general announced these Burisma bucket investigations. Is that right?

MR. MORRISON: Yes, sir.

THE CHAIRMAN: In a subsequent conversation with Mr. Sondland that my colleague was asking about that you would later discuss with Ambassador Taylor, did Ambassador Sondland represent that it wasn't just the prosecutor general but it had to be President Zelensky who committed to these investigations?

MR. MORRISON: Yes, sir. That had happened a couple days earlier.

THE CHAIRMAN: So, at some point following the Warsaw conversation you had with Ambassador Sondland, Ambassador Sondland told you that the President had conveyed to him that it wasn't enough for the prosecutor general to make this representation, that it had to come from President Zelensky?

MR. MORRISON: No, sir. As I recall, I had, I think on September 1st and on September 2nd, conversations with Ambassador Taylor. On September 1st, I related to Ambassador Taylor what Ambassador Sondland related to me of his conversation with Mr. Yermak.

I believe that same day or early the next morning -- part of the difficulty in remembering this is my phone and email were set to eastern time, and I was in Warsaw, and Ambassador Taylor was in Kyiv. So, in terms of trying to recreate by email when I was setting up these calls, it's a little challenging.

Ambassador Sondland had called after I'd spoken to Ambassador Taylor to inform Ambassador Taylor that he screwed up -- he, Ambassador Sondland, screwed up -- in telling that to Mr. Yermak, that it would need to be coming from the President of Ukraine. And --

THE CHAIRMAN: And --

MR. MORRISON: -- Ambassador Taylor related that to me the next day.

THE CHAIRMAN: Okay. So let me just break this down a bit. The conversation about screwing up, that the statement had to come from President Zelensky, not just the prosecutor general, how did you learn about that? Did Ambassador Sondland tell you that?

MR. MORRISON: Ambassador Taylor told me that on Monday, September 2nd.

THE CHAIRMAN: And he was relating to you what Ambassador Sondland had told him?

MR. MORRISON: Yes.

THE CHAIRMAN: Okay. Let me yield back to Mr. Noble.

Oh. And did Ambassador Taylor tell you where Ambassador Sondland had learned that the statement had to come from President Zelensky, not just the prosecutor general?

MR. MORRISON: He did not.

THE CHAIRMAN: Okay. And did Ambassador Sondland ever convey to you why he felt that he had spoken mistakenly in thinking that the prosecutor general's statement would be enough?

MR. MORRISON: He did not.

THE CHAIRMAN: Okay.

BY MR. NOBLE:

Q For clarity -- hopefully we can find some clarity -- I believe you testified you had two separate conversations with Ambassador Sondland after September 1st. Is that right?

A That sounds correct. Yes.

Q So one we know from Ambassador Taylor's statement that it occurred on September 7th. Do you know the date of the other one, the other conversation that you had with Ambassador Sondland? Was it before or after September 7th?

A So I talked to Ambassador Sondland on September 1st.

Q Uh-huh.

A And then I talked again to Ambassador Sondland on September 7th.

Q Okay. So it was just the in-person meeting in Warsaw and then the telephone conversation on September 7th. Those are the two conversations that you've been referring to?

A Yes.

Q Okay. Just want to make sure we're not --

A For Ambassador Sondland.

Q Yeah. Were there any others?

A With Ambassador Sondland?

Q With Ambassador Sondland in this timeframe.

A September?

Q Yeah, like, after September 1st, after Warsaw.

A None for which I have records. That's not to say that he didn't -- I had made the mistake of giving Ambassador Sondland my work cell phone number. So, again, sometimes these conversations would occur and they weren't formally scheduled so they weren't on my calendar so I can't reproduce for you that they occurred.

MR. NOBLE: I think the chairman has a followup.

THE CHAIRMAN: Yeah. Sorry.

So you had one in-person discussion with Ambassador Sondland, and then you had a phone call with him several days later.

MR. MORRISON: Yes.

THE CHAIRMAN: And what did Ambassador Sondland tell you in the phone call?

MR. MORRISON: In the phone call, he told me that he had just gotten off the phone -- the September 7th phone call -- he told me he had just gotten off the phone with the President.

I remember this because he actually made the comment that it was easier for him to get a hold of the President than to get a hold of me, which led me to respond, "Well, the President doesn't work for Ambassador Bolton; I do," to which Ambassador Sondland responded, "Does Ambassador Bolton know that?" But that's why I have a vivid recollection of this.

And he wanted to tell me what he had discussed with the President.

THE CHAIRMAN: And what did he tell you?

MR. MORRISON: He told me, as is related here in Ambassador Taylor's statement, that there was no quid pro quo, but President Zelensky must announce the opening of the investigations and he should want to do it.

THE CHAIRMAN: Okay. I think that clarifies things then.

So, in Warsaw, Ambassador Sondland tells you that he's conveyed to Yermak the prosecutor general has to make these statements. He later conveys to you after talking with the President several days later that the requirement is actually that Zelensky has to commit to these investigations.

MR. MORRISON: Yes. And I had already heard that from Ambassador Taylor.

THE CHAIRMAN: Thank you.

And that's the end of our time. Unless you need a break, we'll --

MR. MORRISON: I'm fine, sir.

THE CHAIRMAN: Okay. The time is with the minority for 45 minutes.

BY MR. CASTOR:

Q You said when you first heard the name "Burisma" you went and googled it?

A I did.

Q Were there any other -- did you google "CrowdStrike"?

A I did not.

Q Did you know anything about CrowdStrike at that point?

A What I recall Dr. Hill discussing with me was not CrowdStrike but the 2016 server. And I did not know what that meant.

Q Did you google that topic?

A No. I found enough to understand the general idea of what she was talking about when I googled "Burisma."

Q Okay. Was there anything else that you looked into? I asked you at the end of the last round whether you were aware of this black ledger issue relating to Paul Manafort, and you said you were not.

A I was not.

Q Okay. Were there any other issues that you looked into?

A Not at the time that I googled "Burisma."

Q Okay. Subsequent to that?

A Subsequent to it, you know, I looked more into understanding what -- trying to understand what the CrowdStrike issue was, trying to understand what the 2016 server was. Obviously, I became more interested in what these things were when I knew the President raised them.

Q Did you ever look into any of the issues relating to the prosecutor general, Lutsenko?

A No.

Q Okay. Did you ever look into any of the news accounts or tweets that related to Ambassador Yovanovitch before her recall?

A No.

Q Were you aware of the issues preceding her recall?

A No. I was aware she was recalled; I was not aware of why.

Q Okay. And did you have any discussions about those topic areas with Colonel Vindman?

A I think I had conversations with Colonel Vindman and Mr. Erath about, why is Bill Taylor not the actual U.S. Ambassador? Why is he the CDA, the Charge d'Affaires? And that's -- they both responded, essentially, "Because Ambassador Yovanovitch had been recalled early."

Q Okay. And so that was the first you learned of it?

A Yes.

Q Did they relate anything else to you about that situation?

A Not that I recall.

Q Did Colonel Vindman ever tell you that he had, you know, looked into any of these issues?

A No, not that I recall.

Q Or that he had authoritative sources on these issues?

A No.

Q Okay.

During your transition, Dr. Hill brought up issues of judgment relating to Colonel Vindman?

A Yes.

Q Can you elaborate on that at all?

A First, I just want to be clear that Alex is a patriot who has literally bled for this country.

But, in my experience in government, not everybody is cut out for the policy process. You often find with -- and these people are on the NSC. You often find with CIA analysts who get detailed that they can't get out of the analytical role into developing policy. State Department personnel who get promoted based on their proficiency in writing reporting cables can't get out of that role into making policy.

So not everybody is cut out for the policymaking process, and Alex, I think, was in that category.

Q Did you ever have any discussions with him when you took over the job about your expectations for him reporting to you?

A No. At that point, I had the concerns raised by Dr. Hill and Mr. Erath. I also had been advised by other personnel within the directorate of their concerns about Alex. And I set about to keep an eye on Alex and form my own conclusions.

Q Okay. And what were your conclusions when you formed them?

A That he did not always exercise the best judgment in terms of the policymaking process and -- the policy process.

Q Did he have an understanding that you were in his chain of command?

A Yes.

Q Were there any instances where he went outside of his chain of command and didn't keep you looped in?

A Well, we've talked about one.

Q Can you -- was this a persistent problem?

[Discussion off the record.]

MR. MORRISON: Yeah, I mean, I think I'm -- as counsel advised, I think I'm going to limit it to the one instance that was within the scope of the inquiry today.

MR. CASTOR: Okay. Was that unusual, though?

MS. VAN GELDER: That answers the question. With all due respect, Mr. Castor, if we're only dealing with what happened in Ukraine, saying "was that the only time" answers a question as to whether there were other times, which goes down that slippery slope.

BY MR. CASTOR:

Q Did you see Colonel Vindman's opening statement before the committees?

A Yes.

Q In his opening statement, he talks about his -- how he views the chain of command as being very important. Did you see that?

A I saw his statement.

Q Okay. And the one instance that we know of related to Ukraine, he did not follow the chain of command. And so I guess the question is, was that consistent with your experience with him or was that unusual?

A As I mentioned, Dr. Hill's management and leadership style is different than mine. In my opinion, some bad habits had been created when she was in charge that --

Q Did you try to correct them?

A -- I set about trying to correct.

Q Okay. What were those bad habits?

A I did not find that there was the habit of keeping the senior director in charge of things -- keeping the senior director informed about things that the senior director should've been informed about.

Q Okay. And did that prove problematic at any point?

A Yes.

Q Can you describe?

MS. VAN GELDER: It is something that we're going to say that going into it would go down the idea of whether or not there was any rumor or anything about who he talked to that might lead to his speculation of who he thought the whistleblower was, which we are not going to answer because it's outside the scope.

MR. SWALWELL: Mr. Chairman, just for the record, did the court reporter get that?

THE REPORTER: Yes.

MS. VAN GELDER: I'm from Boston. They get everything.

MR. SWALWELL: Thanks.

BY MR. CASTOR:

Q Did you have any concerns with his trustworthiness?

A No.

Q I believe you did mention there -- was there any instances where he tried to access information outside of his lane?

A Not that I could confirm firsthand.

Q Okay. But you heard that secondhand?

A Yes.

Q And can you tell us anything about that, or does that fall under the same objection?

A Yes.

MS. VAN GELDER: We're making the same objection.

BY MR. CASTOR:

Q The issues of judgment that Dr. Hill related to you, did they become -- were you able to correct those issues of judgment after you had a chance to work with him as his direct report?

A It was a work in progress.

Q Uh-huh. And did that work in progress at any point get stalled?

A Well, I'm resigning from the NSC. So that'll stall it.

Q At what point did you determine that you wanted to -- I think you said it was mid-August when you determined that these events might lead to congressional hearings or something of that sort?

A I don't know that I said they would lead to congressional hearings. I think I said it just became clear to me, as I considered these matters, that this could wind up becoming, you know, a problem that I wanted to, as best I could, shield my people from so they could continue to be focused on the mission, and that I felt early in, with respect to Alex, because I was trying to help mentor Alex, that I thought it best for me to personally handle the security assistance issue -- security-sector assistance.

Q Okay. Were there other elements of the Ukraine portfolio that you also handled separately from him?

A One.

Q What was that?

A I can't speak to it here.

Q Okay.

MR. CASTOR: I want to make sure that our Members get a chance to ask questions.

MR. ZELDIN: When you say you can't speak to it, is it because of a classification issue?

MR. MORRISON: It's a classification issue, and it's beyond the scope of this inquiry. So probably more the beyond the scope.

MR. MEADOWS: Mr. Morrison, I want to get personal for just a few seconds and express two things.

One is, when we knew that we were going to have this deposition this morning starting at 8 o'clock, I think it was -- the question was, well, why so early and why 8 o'clock? And the reason that was given was really because you wanted to make sure you were available for your family, and I just want to applaud that.

MR. MORRISON: Thank you, Congressman.

MR. MEADOWS: It just -- in this city, so many times, family gets put on the back burner. And I just want to -- I just want to say thank you.

MR. MORRISON: Thank you, Congressman.

MR. MEADOWS: Secondly, I think it's a shame that you're going to be leaving the NSC. You've been direct with your answers today. You've been precise with your answers. And I candidly wish you all the best in your future career, but it is the Federal Government's loss that you're leaving.

And so, on those two personal notes, I want to just circle back a little bit on one area. It's my understanding that you were actually in the meeting with the Vice President and President Zelensky in Warsaw. Is that correct?

MR. MORRISON: Yes, sir, it is.

MR. MEADOWS: And so, in those conversations -- and I know they've been covered; I just want to make sure I'm clear. Because we've got Ambassador Sondland and we've got the Vice President actually having conversations in Warsaw. Is that correct?

MR. MORRISON: Yes, sir.

MR. MEADOWS: And as you were in those meetings with the Vice President and President Zelensky, did investigating the Bidens come up at all?

MR. MORRISON: In the bi-lat between Vice President Pence and President Zelensky?

MR. MEADOWS: Yeah.

MR. MORRISON: No, it did not.

MR. MEADOWS: Did President Zelensky at that point know that the aid was being withheld?

MR. MORRISON: He did, sir.

MR. MEADOWS: And so there was no indication from the Vice President at all that the aid was being held up, waiting for an investigation into the Bidens or Burisma or -- he didn't bring that up at all?

MR. MORRISON: Not at all, sir.

MR. MEADOWS: And you're confident of that?

MR. MORRISON: One hundred percent, sir.

MR. MEADOWS: Because I would think, as, you know, we're hearing a whole lot about what Ambassador Sondland said and may have said and may have heard and directions that may have happened, and yet in your briefing with the Vice President, in your -- go ahead.

MR. MORRISON: Sir, I want to let you finish your question, but I just -- I hope I was clear. I did not pre-brief the Vice President.

MR. MEADOWS: Okay. So you actually helped their staff pre-brief -- did you prepare their staff?

MR. MORRISON: I prepared their staff, and I assisted them in preparing their briefing materials for the Vice President.

MR. MEADOWS: And that gets back to the other point about you being very precise in all of this. You were able to correct me on misspeaking, and I appreciation the precision.

So, in that, with that same degree of precision, do you think that there is any way that President Zelensky left the meeting with the Vice President with an understanding from the Vice President that the aid was somehow conditioned upon an investigation into Burisma or the Bidens at all?

MR. MORRISON: No, sir.

MR. MEADOWS: And you're 100 percent confident of that?

MR. MORRISON: One hundred percent, sir.

MR. MEADOWS: With that, again, I just want to say thank you, and

I'll yield to another Member.

MR. MORRISON: Thank you, sir.

MR. MEADOWS: Mr. Morrison, can I ask one followup question that my colleague -- so did the pause of aid or the hold on aid come up during the discussion between the Vice President and President Zelensky?

MR. MORRISON: It did, sir.

MR. MEADOWS: And so it actually came up; they knew it was on a hold. And yet there was not a condition placed on that from the Vice President's point of view in that meeting that you witnessed personally?

MR. MORRISON: Correct, sir.

MR. MEADOWS: Okay. I'll yield back.

BY MR. CASTOR:

Q Colonel Vindman's tenure at the NSC, he's on a 1-year term, followed by a second 1-year term? Are you aware?

A To be honest, I don't know. I think he might have been on 2-year orders originally.

Q Okay. Was there any discussion about maybe having him move on to a different part of government or return to the Army?

A Um --

Q If it wasn't a fit?

A So, originally, Alex was not brought in to handle Ukraine. He was brought in to handle Russia. This precedes me. But there were other staffing -- I'll call them "snafus" that wound up leading to excess coverage on Russia, below the required coverage on Ukraine. And so Alex was asked to handle the Ukraine/Belarus/Moldova portfolio.

Q Were there any trips to these countries in the last -- since July 25th that Colonel Vindman was scheduled to travel on?

A No.

Q Were there any trips to these countries?

A Yes.

Q And was he excluded from travel for any reason?

A He was not excluded. He just was not included.

Q Okay. Did he ask to be included?

A He did.

Q And what was the reason given that he was not included?

A I did not think his presence was required. We had an aircraft for Ambassador Bolton that we had from the G-7 to Ukraine, Belarus, Moldova, to Warsaw. And, in my estimation, it was not worth the seat on the plane and the hotel expenses -- and, frankly, there were no hotel rooms available in Biarritz -- at the G-7 to bring him. I did not think it was in the taxpayers' interest to pay for him to come over separately on commercial air when, by, you know, good preparation, we could make sure that Ambassador Bolton had the material he needed for successful visits.

Q Okay. Did Colonel Vindman give you any feedback about that decision?

A Yes.

Q And what form did the feedback take?

A He personally appealed to me.

Q Okay. Did he send you an email?

A I don't recall an email. I recall an in-person conversation.

Q Okay. And did the conversation get heated?

A No.

Q And did you articulate the reasons to him?

A Yes.

Q And did he accept them?

A I don't know if he accepted them, but he didn't have a choice.

Q Okay. And did he ever express to you that he felt cut out of, you know, areas that were, you know, within his policymaking?

A Yes.

Q And what were those concerns that he related to you?

A He was concerned that, by not being included in certain discussions, the trip, he would be seen -- he would be less effective because he would be seen by the interagency as not being relevant.

Q And did you think that was the case?

A I thought the reasons I had for not including him outweighed his concerns.

Q Okay.

MR. CASTOR: Yes, Mr. Jordan.

MR. JORDAN: Thank you, Steve.

Mr. Morrison, did he make an appointment? Did he walk into your office? Did you go see him?

MR. MORRISON: I think he walked into my office. He said what he wanted to talk about. I said I was busy. I asked him to make an appointment. And I made sure John Erath was present when we had that appointment.

MR. JORDAN: Did he walk into your office on other occasions and express some displeasure at decisions you had made regarding him?

MR. MORRISON: Yes.

MR. JORDAN: So this was common or happened several times? How would you describe it?

MR. MORRISON: So I had an open door, unless I was busy, and so it was not uncommon for my team to walk in. Depending upon the issue, I would tell them to come back because for whatever reason I wanted to have them come back --

MR. JORDAN: But you didn't have a policy -- so people could walk in --

MR. MORRISON: Yes.

MR. JORDAN: -- and talk to you about concerns, part of your team. If time permitted, you'd deal with the concerns at that time, or would you always then -- or is that not the case? Would you always say, no, make an appointment?

MR. MORRISON: Well, in the matter of Alex and the trip, for example, or the question about being excluded, I've been around long enough to know, on potential personnel actions, you want a witness.

MR. JORDAN: Okay.

MR. MORRISON: So I made sure he came back when I had a witness.

MR. JORDAN: Did you do that with other members of your team?

MR. MORRISON: I did not have complaints from other members of my team. So, sir, the answer is no.

MR. JORDAN: So, I mean -- and I, like you, Mr. Morrison, I appreciate the service Colonel Vindman has given to our country and the sacrifice he has made. But I think in the last -- or since you've been here today, you've talked about Colonel Vindman. There was issues of judgment, that he operated outside his lane. He didn't adhere to the chain of command. Was not included, specifically excluded -- I guess, to your use your language, was not included on certain trips. And there was an area of Ukraine that you kept him restricted from being a part of, and you said you couldn't get into that.

Did Mr. Vindman -- did he talk too much?

MR. MORRISON: I had concerns that he did not exercise appropriate judgment as to whom he would say what.

MR. JORDAN: Okay.

Steve?

MR. CASTOR: Mr. Roy?

MR. PERRY: Can I --

MR. CASTOR: Mr. Perry. I'm sorry.

MR. PERRY: Sticking with Colonel Vindman, I just have an affinity for him because I, too, served in uniform and I understand his circumstances. I think maybe as a person that's interested in following the chain of command, et cetera -- and those standards are very important to every single one of us. They're inbred into us.

Do you think that he -- I don't know how to put -- maybe he was disappointed in the change of how his autonomy -- or maybe his own perceived autonomy under Fiona Hill, when you came in, do you think that that was a point of friction? Did you sense that at some point? Or do you think he just understood intuitively that there was a new sheriff in town, so to speak? Or --

MR. MORRISON: Congressman, I don't know that I can speak to his reaction being based on a change in management or if it was merely a result of him chafing in terms of how I wanted to use, you know, the resource that he was.

MR. PERRY: Okay. Fair enough. All right. Thanks.

MR. CASTOR: Mr. Roy?

MR. ROY: All I was going to do is take 30 seconds to underscore what Congressman Meadows said about appreciating your service and appreciating your being here. And, you know, we overlapped in the Senate when I was with John Cornyn and you were with Senator Kyl.

MR. MORRISON: Yes, sir.

MR. ROY: And that's been over a decade ago since we've engaged, but it's good to see you again here in the public service. And I wish I could get to my kids' trick-or-treating tonight and see my 10-year-old son playing James Bond, of all things, in a tuxedo and carrying a plastic martini glass, running around, but I'm going to miss that. So --

THE CHAIRMAN: As long as your son is not dressed up as me, I'm happy.

MR. ROY: There's a joke in there somewhere, but I'll let that go, but I appreciate that, Mr. Chairman.

The only thing I will say, something I did want to follow up on just to make sure I heard correctly -- and I'm sorry, because we've been in and out and, you know, putting all this together -- was with respect to the conversation with Mr. Sondland about what the President said to him on September 7th, that conversation, that you did not confirm that that conversation took place. You either didn't try or were unable to confirm that the conversation took place between the President and Mr. Sondland?

MR. MORRISON: Yes, sir. I'm sorry, I don't remember if it was September 7th or September 8th, but I recall that being an especially busy day, which led to the jocular exchange. And I was not able to confirm that he did actually speak with the President on that particular occasion.

MR. ROY: Okay.

And then the only other thing is, with respect to the characterization of the phone call from Mr. Sondland to yourself and the description in Mr. Taylor's statement provided, when he describes -- in the wording in his statement that it was his opening investigations of Biden and 2016 election interference, did you hear that jointly or separated? Or how would you characterize the nature of that expression from Mr. Sondland about the nature of that conversation?

MR. MORRISON: On September 7th or September 8th, whichever it was?

MR. ROY: Uh-huh.

MR. MORRISON: As I recall what Ambassador Sondland related to me, the President had stated to Ambassador Sondland, "There is no quid pro quo, but I want to hear it from President Zelensky. He should want to say it."

MR. ROY: That's the specific language that you remember hearing?

MR. MORRISON: That's the specific language I remember hearing from Ambassador Sondland.

MR. ROY: Okay. Thank you.

MR. MEADOWS: Mr. Morrison, so I want to come back. I've thought of a couple of other -- it's not a "Columbo" moment. I'm not trying to catch you in it, but I've thought of a couple other questions as it relates to the Vice President meeting with President Zelensky in Warsaw.

I don't have a full characterization of that meeting. Would you characterize that conversation between President Zelensky and Vice President Pence as a cordial conversation between two world leaders?

MR. MORRISON: Yes, sir, absolutely. It was -- as I recall, it was really the one meeting that the Vice President was adamant he take. He was very eager to speak to President Zelensky and do his best to convey to President Zelensky his, the Vice President's, support and the support of the United States for President Zelensky and the reform agenda he was undertaking in Ukraine.

MR. MEADOWS: So the message was very clear from the Vice President. He was insisting on meeting personally, not sending someone else in his place to meet with the President to express -- would you characterize it as a new solidarity between the United States and the Ukraine in terms of their new government's willingness to fight corruption? Or what would it --

MR. MORRISON: Congressman, the way I'd prefer to frame it, if it's okay, is: There were a number of bi-lats we had planned for President Trump. Vice President Pence was adamant that he keep the bi-lat with President Zelensky. And, as I understand it, it was because he wanted to convey, as best he could, American support and his personal support for what President Zelensky was trying to do.

MR. MEADOWS: All right. So it would not surprise you if the Vice President of the United States came back and advised the President that this relationship is one that he could trust based on the conversation that you witnessed. Would that surprise you?

[2:05 p.m.]

MR. MORRISON: Sir, I am aware that he did.

MR. MEADOWS: You're aware that he did?

MR. MORRISON: Yes.

MR. MEADOWS: So you're aware that the Vice President came back and told the President that it was a good meeting and that we should normalize any relationship with Ukraine?

MR. MORRISON: To the best of my knowledge, the Vice President made that phone call to the President that same night.

MR. MEADOWS: Okay. I'll yield back.

MR. JORDAN: And, Mr. Morrison, the fact that the meeting went well didn't surprise you, did it?

MR. MORRISON: No, sir.

MR. JORDAN: Because I think you'd said earlier today that you felt that once President Zelensky got with either President Trump or Vice President Pence, I think you said you thought they would hit it off.

MR. MORRISON: Yes, sir.

MR. JORDAN: And that's exactly what happened.

MR. MORRISON: Yes, sir.

MR. JORDAN: And this happens on -- early in September.

MR. MORRISON: The Vice President's bi-lat with President Zelensky was 1 September.

MR. JORDAN: And then the Vice President comes back and tells the President that, hey, this Zelensky guy is a good guy, or something to that effect, talks about the meeting and the interaction they had.

MR. MORRISON: Yes, sir, essentially.

MR. JORDAN: And then it's just a few days after that that the aid actually happens and is released.

MR. MORRISON: Sir, to my knowledge, the President determined to release the aid the evening of September 11th. That information was conveyed to the interagency the morning of September 12th, so there's a few days gap. But yes, sir.

MR. JORDAN: Great. Thank you.

BY MR. CASTOR:

Q The meeting that you had with Colonel Vindman and John Erath, was that the first time that you had asked John Erath to sit in a meeting with you and Colonel Vindman?

A Based on the nature of the meeting, I felt it was appropriate to have my deputy present because it was a meeting in the nature of a personnel action.

Q Okay. And had you had any other meetings like that with John Erath and Colonel Vindman?

A So I made a habit of including my deputy in meetings because he was my backstop. If I was unable to attend something because I was called into something else, I wanted my deputy to be fully informed about what I was doing so that he could step in without skipping a beat.

Q Okay. But were there any other personnel-related meetings like that?

A Not to my knowledge.

Q Okay. There's been some questions here with other witnesses about whether Kash Patel got involved with the Ukraine portfolio. Do you know anything about that?

A Only what I've read in the press.

Q Okay. And you know Kash Patel?

A I do.

Q And he's a -- what's his area of responsibility at NSC?

A When he came to the NSC he was a director in the Directorate For International Organizations. He is now a senior director in the Counterterrorism Directorate.

Q Okay. And to your knowledge, he doesn't have any Ukraine-related involvement?

A Correct.

Q Did Dr. Hill --

A I should say, my firsthand knowledge. I am, of course, aware of certain press reports.

Q Okay. And what are the press reports that you're aware of -- or what did you learn in the press about this issue?

A I'm not sure I learned anything in the press about this issue. I'm aware of press reporting. I don't have any firsthand knowledge. I'm not trying to be cute. I don't have any firsthand knowledge. I can't vouch for the veracity or the credibility of the reporting. But the public reporting is that he has somehow been involved in Ukraine and has had a direct line to the President.

Q And you're not aware of that, right?

A I have no firsthand knowledge.

Q Okay. There was a meeting in the Oval Office before you assumed Dr. Hill's responsibilities on, I believe it was May 23th, where Ambassador Sondland, Ambassador Volker, Senator Johnson briefed the President on their visit to President Zelensky's inaugural. Are you familiar with that meeting?

A I'm not sure I'm familiar with that meeting.

Q There's been an allegation raised that Colonel Vindman was excluded from that meeting. Do you know anything about that?

A It's not uncommon for directors not to be included in meetings with the President. It's the senior director's job. But I have no firsthand knowledge of that meeting.

Q Okay. To the best of your knowledge, Kash Patel is somebody with integrity?

A Yes.

Q And you have had no issues with Kash Patel during your joint service with him at NSC?

MS. VAN GELDER: Excuse me, I believe that we've already established that Kash Patel is outside the scope of his testimony today.

MR. CASTOR: Okay. I wish he was outside the scope of these proceedings, but we've had a lot of questions about him.

MS. VAN GELDER: He's already said he has no dealings with Kash Patel.

BY MR. CASTOR:

Q Okay. But he's a colleague of yours on the NSC, right? I mean --

A He is.

Q Okay. And so you've never had any dealings with him whatsoever?

A I have.

Q Okay. Have they been positive?

MS. VAN GELDER: Let's keep it to the inquiry. It's a slippery slope when we start going into what could be personnel actions and other issues.

MR. CASTOR: Okay. I think I'm pretty much done. I think I'll yield back.

THE CHAIRMAN: Would you like to take a short break or should we keep going?

MR. MORRISON: I'm fine to keep going, Chairman.

THE CHAIRMAN: Okay. I'm just going to ask a few questions, then turn it over to my House colleagues before we go back to Mr. Goldman.

Do you know whether Colonel Vindman had consulted with the legal counsel about concerns over what you've described as the Burisma bucket of issues prior to your arrival at the NSC?

MR. MORRISON: I have no firsthand knowledge, sir.

THE CHAIRMAN: If he had been advised by the legal adviser to raise those concerns directly with him and not discuss them with others, would you still believe that he should discuss those issues with you?

MR. MORRISON: Chairman, I would expect somebody to have advised me that there was that conduit in which I was not involved.

THE CHAIRMAN: But you would agree that if he was following the advice of the legal counsel, he would not be violating the chain of command?

MR. MORRISON: Yes, sir, I would agree.

THE CHAIRMAN: Now, I know Mr. Patel had a promotion of some kind?

MR. MORRISON: Yes, sir.

THE CHAIRMAN: Prior to his promotion, what was his position?

MR. MORRISON: Sir, he was the director in the Directorate on International Organizations.

THE CHAIRMAN: And how does that compare to your position?

MR. MORRISON: I mean, there's special assistants who are administrative staff. There's directors in the policy lane. There's directors, there's the senior director, and then there's the Deputy National Security Advisor and the National Security Advisor.

THE CHAIRMAN: And would his position be above yours? Below yours? Equivalent to yours?

MR. MORRISON: Below, sir.

THE CHAIRMAN: Below your position?

MR. MORRISON: As a director, yes, sir.

THE CHAIRMAN: If he did involve himself in Ukraine matters, should that have gone through you?

MR. MORRISON: Yes, sir.

THE CHAIRMAN: So if he involved himself in Ukraine matters, he would have been outside of his chain of command?

MR. MORRISON: Sir, in my opinion, as the Senior Director for

European Affairs, if he engaged in policy on Ukraine and he did not advise me, that would be a process foul.

THE CHAIRMAN: And so that would be outside the chain of command in a way that would be a process foul?

MR. MORRISON: Sir, I don't know that I see this as a chain of command issue. He does not report to me. He's not in my chain of command. It would be a process foul.

THE CHAIRMAN: But if he's working on Ukraine, he should be in your chain of command, correct?

MR. MORRISON: No, sir, not necessarily. There could be Ukraine counterterrorism issues or Ukraine issues related to the U.N. Security Council or International Organizations when he was assigned to that directorate that he could be engaged in, but as the regional senior director, I should be aware of that. It's my responsibility to attempt to be aware of everything the United States is doing in Ukraine. In that, I'm assisted by people like Alex.

THE CHAIRMAN: And if you're not advised of that, that can be a problem because it means that your decisionmaking is not as informed as it should be?

MR. MORRISON: Well, I blanch that I make decisions. My policy recommendations, my ability to work with the interagency, the ability of the United States to not be in a situation where the right hand is engaging Ukraine without the left hand knowing what's going on and therefore we look confused to the Ukrainians, for example, the process exists to prevent that.

THE CHAIRMAN: Okay. I want to follow up on some of the questions about the Vice President.

I think you said that you would expect that the Vice President would have been given a record of the call that President Trump had with President Zelensky since he was very soon thereafter going to a meeting with President Zelensky. It would be part of his presidential -- the vice presidential daily brief?

MR. MORRISON: Yes, sir. At that point the idea of the Vice President meeting with President Zelensky was not planned. But it's the normal process for a head of state call for a copy of the transcript to be made available to the Vice President the next available day.

THE CHAIRMAN: I know there have been questions raised, and I'm not going to ask you to comment on the veracity of them, about whether the President reads his daily brief or doesn't read his daily brief. Do you have any reason to believe that the Vice President doesn't read his daily brief?

MR. MORRISON: Sir, the Vice President is known to be a voracious reader of his daily brief.

THE CHAIRMAN: So you would imagine that the call record would have been in his daily brief and that he would have read it?

MR. MORRISON: It is the normal practice for it to have been in the daily brief. I cannot speak authoritatively that it was in his daily brief the next available day after the July 25th call, but I attempted to say that it was my understanding he had access to it while he was flying over to Warsaw.

THE CHAIRMAN: Now, that bilateral meeting that the Vice President participated in, that was a fairly large number of people, was it not?

MR. MORRISON: The Zelensky-Pence bi-lat?

THE CHAIRMAN: Yes.

MR. MORRISON: Yes, sir, we had a large delegation.

THE CHAIRMAN: So how large was the delegation? Was it -- I mean, I don't need an exact number, but was it two or three dozen people?

MR. MORRISON: There were two rows of seat on the U.S. side. I think there was only one row of seats on the Ukrainian side. It was a large U.S. delegation.

THE CHAIRMAN: So maybe 20 to 30 people?

MR. MORRISON: I would say more like a dozen, maybe -- I would say about a dozen.

THE CHAIRMAN: So you said two rows of representatives from the United States?

MR. MORRISON: Yes, sir.

THE CHAIRMAN: And how many people in each row?

MR. MORRISON: So about six or seven.

THE CHAIRMAN: Okay. So that would be about 12 to 14 on the U.S. side?

MR. MORRISON: I don't think the second row was a complete row, sir, but I recall we had two rows, they had one row. And sometimes it was -- it can be embarrassing in these circumstances how much bigger our side is than the opposite country side.

THE CHAIRMAN: So it sounds like you're talking about the neighborhood of 10 to 20 people, then.

MR. MORRISON: Sir, I think it was closer to about 12.

THE CHAIRMAN: Okay.

MR. MORRISON: Oh, in the meeting overall?

THE CHAIRMAN: Yes, in the meeting overall.

MR. MORRISON: Yes, sir, probably about -- probably about 20.

THE CHAIRMAN: Okay. So you're saying that in the meeting with 20 people present, Vice President Pence did not bring up the Burisma bucket of issues. Is that right?

MR. MORRISON: That is correct, sir.

THE CHAIRMAN: But immediately after that large meeting there's a private meeting between Ambassador Sondland and Mr. Yermak where he does bring up the Burisma bucket of issues, right?

MR. MORRISON: Yes, sir.

THE CHAIRMAN: And then immediately after that he goes and tells you about it?

MR. MORRISON: Yes, sir.

THE CHAIRMAN: Mr. Engel, do you have questions?

MR. ENGEL: I have no questions at this time. Thank you.

THE CHAIRMAN: Okay. Mrs. Maloney?

Mr. Swalwell.

MR. SWALWELL: Thank you, Chairman.

And thank you, Mr. Morrison, for coming in.

Following up on the chairman's question, one reasonable conclusion could be that the Vice President did not wish to bring up that bucket you've described in front of such a large audience. Is that right?

MR. MORRISON: Sir, I don't want to speculate on why.

MR. SWALWELL: Is it also a reasonable conclusion that perhaps the Vice President thought it would be wrong to bring up those issues?

MR. MORRISON: Sir, again, I prefer not to speculate why the Vice President conducted the meeting the way he did.

MR. SWALWELL: Well, the Vice President's job is to carry out the policy priorities of the President. You would agree to that?

MR. MORRISON: Yes, sir.

MR. SWALWELL: And if the Vice President read the call record as a voracious reader, as you described, it's pretty clear in that call record that a priority of the President of the United States is for the President of Ukraine to investigate the Bidens. Is that right?

MR. MORRISON: These issues were raised in the MEMCON, yes, sir, and the phone call.

MR. SWALWELL: So if Vice President Biden in his first face-to-face meeting with --

MS. VAN GELDER: Vice President Pence.

MR. SWALWELL: Sorry. If Vice President Pence in his first face-to-face meeting with President Zelensky about a month after the July 25th call does not bring up a central priority of the President's, is that the Vice President failing to carry out the President's priorities?

MR. MORRISON: Sir, I listened to the July 25th phone call, and I never raised these issues either.

MR. SWALWELL: Why not?

MR. MORRISON: I did not consider them to be within my area of responsibility, my lane.

MR. SWALWELL: Did you think they were wrong?

MR. MORRISON: Sir, they were not issues I would have raised.

MR. SWALWELL: But were they wrong?

MR. MORRISON: Sir, I did not make that judgment at the time.

MR. SWALWELL: But I'm asking you to make the judgment now. Are they wrong?

MR. MORRISON: Sir, I did not make that judgment at the time.

MR. SWALWELL: But at this time today, do you believe they are wrong?

MR. MORRISON: Sir, I have not come to that judgment, and I did not make that judgment at the time.

MR. SWALWELL: You referenced that Ambassador Bolton spoke with President Trump about the security assistance, but I didn't hear you talk about what was discussed. Do you know what they discussed?

MS. VAN GELDER: I believe that that is for later to be determined how we get around that.

MR. SWALWELL: Okay. Were you -- well, let me ask you, I asked you if it's wrong for the President to bring up those investigations. Is it right for him to bring up those investigations with President Zelensky?

MR. MORRISON: Sir, it's the President's choice what he raises with a foreign leader.

MR. SWALWELL: At any point after the July 25th phone call, were you aware that a whistleblower complaint was in the works?

MR. MORRISON: I'm sorry, sir. What timeframe are we talking about?

MR. SWALWELL: At any point after the July 25th phone call, were you aware?

MR. MORRISON: When news of the whistleblower complaint became public, I became aware.

MR. SWALWELL: But were you aware internally --

MR. MORRISON: No, sir.

MR. SWALWELL: -- by any way?

MR. MORRISON: No, sir.

MR. SWALWELL: Are you aware of anyone else being aware internally before it became public?

MS. VAN GELDER: With all due respect, Congressman, I believe that if it's good for the goose, it's good for the gander. And when we start saying we can't go into who the whistleblower was or what we were aware of when the whistleblower was, that that would be beyond the scope of this testimony.

MR. SWALWELL: If the investigations into Burisma, the Bidens, and 2016 were not policy priorities, what would you describe them as?

MR. MORRISON: Issues on the President's radar, issues that had his attention. But these were not issues that the policy process was working on.

MR. SWALWELL: And who is more important, the policy personnel or the President?

MR. MORRISON: Sir, the President is the President.

MR. SWALWELL: What does that mean?

MR. MORRISON: That means we all serve at his pleasure.

MR. SWALWELL: I'll yield back.

THE CHAIRMAN: Representative Speier.

MS. SPEIER: Thank you, Mr. Chairman.

Thank you, Mr. Morrison.

At one point you referenced that this was right after the 9/1 meeting, and you reported to Mr. Bolton and to Mr. Taylor about this condition now before the aid was going to be made available. And Mr. Bolton said, stay out of this, and you took it to the lawyers at NSC. And I scribbled down what you said, and something to that effect that you wanted to make sure there was a record of what Sondland had said to protect the President.

MR. MORRISON: Correct.

MS. SPEIER: So you wanted to protect the President from what?

MR. MORRISON: And, Congresswoman, I'm still not completely certain that this was coming from the President. I'm only getting this from Ambassador Sondland.

And so if Ambassador Sondland is doing this, and I am not entirely certain that there's any involvement here of the President, I want to make sure there's a record. And to my way of thinking, that record should go through the lawyers, especially White House counsel, about what I am seeing and hearing and learning about.

MS. SPEIER: But let's, for discussion purposes, if in fact the President didn't know about this, as you are trying to protect him by reporting it to the lawyers, are you saying then that you thought it was unjust, illegal, inappropriate for the aid to be conditioned on this public statement by Mr. Zelensky?

MR. MORRISON: Ma'am, there's a reason I framed it as two processes. The proper process that I was a part of includes an extraordinary number of lawyers. We do not develop options for the President that are not legal. This other process that, as far as I know, chiefly only involved Ambassador Sondland, Mr. Giuliani evidently, does not have that kind of protection.

Ambassador Bolton is fond of saying that the process is your protection. So part of what I'm trying to do here in talking to the lawyers is making sure they're aware of what Mr. Sondland is doing. And he's saying the President is aware, but I'm still not entirely certain that he is.

MS. SPEIER: All right. When the issue came up at that bilateral meeting with Vice President Pence and President Zelensky, and President Zelensky asked why was the security assistance being withheld, what did Vice President Pence say?

MR. MORRISON: He focused on President Trump's concerns, that President Trump wanted to make sure that Ukraine was making progress on its corruption reform agenda. And he made the points -- I'm sorry, excuse me -- the Vice President made the point to President Zelensky that President Trump believed the Europeans should be doing more about matters in Europe, and given that security assistance, security-sector assistance to Ukraine was entirely American, the President believed that the Europeans should be contributing more in security-sector assistance.

MS. SPEIER: And what did President Zelensky say to that?

MR. MORRISON: He agreed -- President Zelensky agreed with Vice President Pence that the Europeans should be doing more. As I recall, he related to Vice President Pence conversations he'd been having with European leaders about getting them to do more.

And he stated his strong commitment and some of the things he had been doing -- this was 2 or 3 days after Ambassador Bolton and I, among others, had been in Ukraine meeting with President Zelensky -- even in those 2 or 3 days, what President Zelensky and his Servant of the People Party in the Rada had done on the corruption reform agenda.

MS. SPEIER: And he didn't say anything about he was pursuing an investigation? He didn't use that word?

MR. MORRISON: He who, ma'am?

MS. SPEIER: Pardon he?

MR. MORRISON: He who, ma'am?

MS. SPEIER: I'm sorry. President Zelensky.

MR. MORRISON: No, ma'am. I have no recollection that he raised any of the Burisma investigation.

MS. SPEIER: Or just used the word "investigation"?

MR. MORRISON: No, ma'am, I have no recollection that he did.

MS. SPEIER: When our colleagues on the other side were making -- asking you questions about Lieutenant Colonel Vindman, you made a point of saying he was a patriot. And then there were a series of questions asked that, from my view, were attempting to undermine him as someone who is doing his job.

So why don't you tell us a little bit about the work that you observed of Lieutenant Colonel Vindman that were indeed exemplary.

MR. MORRISON: Ma'am, I'm limited based on the scope of the inquiry to talk about matters related to security assistance. I think I know as well as you do Lieutenant Colonel Vindman's bio, which makes clear that he is a tremendous patriot.

He has been deployed to conflict zones. He has been wounded and shed blood for his country, been awarded the Purple Heart. There should be no imputation that Colonel Vindman is anything other than an absolute patriot.

MS. SPEIER: Well, I know, but --

MS. VAN GELDER: I ask for your indulgence. May I speak to my client?

[Discussion off of the record.]

MS. VAN GELDER: I apologize.

MS. SPEIER: So on this issue area, I mean, you would -- would you not agree that he's an expert?

MR. MORRISON: I think he knew his portfolio, yes, ma'am.

MS. SPEIER: And you're aware that he has been working on this issue, if I am remembering my notes here, since 2008 he has been a foreign area officer in Eurasia. You're aware of that?

MR. MORRISON: Well, ma'am, he was recruited to come to the NSC because he was a Russia expert. We had a staffing under Dr. Hill, we had a staffing requirement that he not come over -- that he not do the Russia portfolio because she had a need at the time for a Ukraine officer. And he's Ukrainian, so it seemed like a good fit at the time.

MS. SPEIER: And he certainly got good job performances, I presume?

MR. MORRISON: I never did an employee review of him.

MS. SPEIER: So the issue that was raised about chain of command, I just want to come back to it. He had the right, did he not, to go directly to the attorney in the NSC to raise his concerns about that telephone call?

MR. MORRISON: Yes.

MS. SPEIER: On July 25th?

MR. MORRISON: Yes.

MS. SPEIER: So it was not that he was not following the chain of command, as it was suggested by colleagues on the other side of the aisle?

MR. MORRISON: Well, ma'am, it's my view, as his supervisor, he should have brought his concerns first to me since I was also going to NSC Legal with those concerns. We didn't necessarily need to both do it. If we had coordinated better, you know, the chain of -- if he had come to me as I would have expected, that's the issue.

MS. SPEIER: But, again, there was no -- he didn't violate any rules by going to the attorney?

MR. MORRISON: He did not violate any formal rules.

MS. SPEIER: All right. I yield back.

THE CHAIRMAN: I just have a couple followup questions before I pass it on to Mr. Heck.

You mentioned one of the reasons why after the Warsaw discussions you had with Ambassador Sondland you went to the legal counsel to document that conversation to protect the President. Is that right?

MR. MORRISON: That was among my motivations, yes, Mr. Chairman.

THE CHAIRMAN: In case what Ambassador Sondland said had not been authorized by the President.

MR. MORRISON: Mr. Chairman, that is one of the concerns I had about the way Ambassador Sondland undertook what he understood to be his portfolio.

THE CHAIRMAN: But did you understand also at the time you took this action that if, in fact, Ambassador Sondland was acting at the direction of the President, you were also creating a paper trail incriminating the President?

MR. MORRISON: Well, sir, you could make that argument, yes.

THE CHAIRMAN: Now, I think you testified earlier that Ambassador Sondland told you in Poland that he had told Yermak that the prosecutor general needed to commit to these investigations to get the military aid, right?

MR. MORRISON: Yes, sir.

THE CHAIRMAN: And then it was subsequently on the phone where he came back to you, Ambassador Sondland that is, and said, no, the prosecutor general is not going to be sufficient, President Zelensky has to commit to that, right?

MR. MORRISON: Yes, sir. He related the President told him there was no quid pro quo, but President Zelensky had to do it and he should want to do it.

THE CHAIRMAN: Okay. Now, was there anyone in a position to give Ambassador Sondland instructions about what Ukraine needed to do apart from the President?

MR. MORRISON: Yes.

THE CHAIRMAN: And who would that be?

MR. MORRISON: Sir, there were a number of actors.

THE CHAIRMAN: And I'm not talking about in the sort of normal scheme of things, because we've already discussed this as a regular channel. But in your experience, apart from the President or perhaps Ambassador Bolton, was there anyone giving Ambassador Sondland instructions that he was to convey to Ukraine?

MR. MORRISON: So, sir, I'm sorry, I may not understand your question. In a proper process the Acting Assistant Secretary of State Reeker would have --

THE CHAIRMAN: Yeah. I'm not asking about the proper process. I'm asking about the improper process.

MR. MORRISON: Yes, sir.

THE CHAIRMAN: And that is, in your experience, apart from the

President, was anyone in a position to tell Ambassador Sondland you can do this or you can't do that?

MR. MORRISON: Sir, in the context of what I understood to be the parallel process, Ambassador Sondland believed and at least related to me that the President was giving him instruction.

THE CHAIRMAN: So if Ambassador Sondland acknowledged making an error in originally saying that the prosecutor general could make this commitment and later corrected and said, no, according to the President, it has to be President Zelensky, there would have been nobody else other than the President that could've raised the bar that way?

MR. MORRISON: Sir, something I was thinking about earlier when I was answering your related question was, it could have been as simple as Ambassador Sondland thought more about it and decided, no, this won't work for some reason, because there was no discipline in how he was carrying out what he understood to be his responsibilities.

THE CHAIRMAN: And he understood his responsibilities to be doing what the President asked him to do?

MR. MORRISON: He related to me he was acting -- he was discussing these matters with the President.

THE CHAIRMAN: And, in fact, every time you went to check to see whether he had, in fact, talked to the President you found that he had talked to the President?

MR. MORRISON: Yes, Mr. Chairman.

THE CHAIRMAN: And in Poland, after the vice presidential delegation meeting, when Ambassador Sondland goes to have that private conversation with Mr. Yermak and tells him about the conditioning of the aid, remind me what Mr. Yermak's position was in relationship to Zelensky.

MR. MORRISON: Sir, I mean, frankly, he was probably somewhat akin to me. He was a Presidential adviser on American issues, America issues.

THE CHAIRMAN: And is it reasonable to expect that after Ambassador Sondland told Yermak that the aid would not happen unless there was the commitment to these investigations, then Mr. Yermak, as the adviser to Zelensky, would have promptly told Zelensky about this?

MR. MORRISON: Sir, if I take the parallel that he's something like me, he might have had one or two layers between him and the President that he would have gone to first. But I somewhat hesitate to speculate too much about where he would have gone next.

THE CHAIRMAN: But that message would have gotten to President Zelensky in short order, you would expect?

MR. MORRISON: It may, sir, I simply can't say.

THE CHAIRMAN: Well, that's not the kind of thing you would keep from the President of Ukraine, would it, if you were his adviser, particularly when he raised that in the meeting with the Vice President?

MR. MORRISON: Well, he didn't raise -- sir, he didn't raise it in the meeting with the Vice President. He raised it after the meeting with the Vice President.

THE CHAIRMAN: Well, I'm talking about Zelensky. Zelensky raises the aid in the meeting with Vice President Pence?

MR. MORRISON: Yes, sir.

THE CHAIRMAN: Immediately after the meeting his adviser, and as I understand the top adviser to Zelensky, has this conversation with Ambassador Sondland?

MR. MORRISON: Yes, sir.

THE CHAIRMAN: It's on the subject of what he just -- Zelensky just talked to Pence about. You would expect that Yermak would communicate that to Zelensky, would you not?

MR. MORRISON: Sir, he -- I'm sorry. He may have. I don't know for a fact. He could've gone to another level, and that other level said, no, this is crazy, keep it away from the President.

THE CHAIRMAN: Do you have any reason to believe that's the case?

MR. MORRISON: Sir, I don't have any reason to believe on either side of the coin what he did with that information.

THE CHAIRMAN: And in your position and understanding the role that Mr. Yermak plays, your testimony is you can't venture a guess as to whether that critical piece of information, that critical conditionality would have been shared by Mr. Yermak with his boss?

MR. MORRISON: Sir, if it were me and I was -- I'm applying this to me -- I would have gone to Danylyuk first and talked to him before anything went to the President.

THE CHAIRMAN: Well, I'm not sure that it is equivalent --

MR. MORRISON: Yes, sir.

THE CHAIRMAN: -- in your position with one of President Zelensky's top advisers.

But I will now recognize Mr. Heck.

MR. HECK: No questions at this time, Mr. Chairman.

THE CHAIRMAN: I can't see who's behind Mr. Heck.

Mr. Cicilline?

MR. CICILLINE: Mr. Morrison, in your testimony just a few moments ago you said, I think, the President can talk to a foreign leader about anything he wants. Was that your testimony?

MR. MORRISON: Yes, sir, effectively.

MR. CICILLINE: But you recognize that there are some conversations a President could have that would be inappropriate, right?

MR. MORRISON: Yes, sir.

MR. CICILLINE: Illegal?

MR. MORRISON: Yes, sir.

MR. CICILLINE: Undermine our national security?

MR. MORRISON: Yes, sir.

MR. CICILLINE: So when you say a President can talk about anything he wants, it doesn't mean that you would characterize every conversation that a President has with a foreign leader as acceptable?

MR. MORRISON: Acceptable as to what standard, sir?

MR. CICILLINE: Well, you said a -- what did you mean when you said a President can talk about anything he wants with a foreign leader?

MR. MORRISON: I know of no -- no one could tell him he can't do it. A lawyer could tell him you shouldn't do it, it's illegal, but ultimately the President is the President.

MR. CICILLINE: Well, I mean, ultimately the President can utter the words. But as a national security expert you recognize, of course, there are things that a President could say in a conversation with a foreign leader which would undermine our national security, right?

MR. MORRISON: Yes, sir.

MR. CICILLINE: That would undermine the integrity of our elections, right?

MR. MORRISON: Yes, sir.

MR. CICILLINE: That would be contrary to U.S. policy?

MR. MORRISON: Yes, sir.

Well, sir, with respect to the last, if the President says it, it may no longer be incompatible with U.S. policy. He may have just articulated a new U.S. policy.

MR. CICILLINE: So your view is a President can -- let me strike that.

There are no limits to what a President of the United States can say to a foreign leader on a telephone that you would consider inappropriate, inadvisable, illegal, or contrary to our national security interests?

MR. MORRISON: Sir, your -- the President can choose to raise whatever he wants, even if there is --

MR. CICILLINE: Even if it's illegal?

MR. MORRISON: Even if there is a legal opinion that it is illegal, he could still choose to raise it. He could choose --

MR. CICILLINE: And then he would be -- he or she would be accountable for that conduct, correct?

MR. MORRISON: Yes, sir.

MR. CICILLINE: Okay. No further questions.

THE CHAIRMAN: So I take it from that you don't subscribe to the view that if a President says it or does it, it can't be a violation of law?

MR. MORRISON: I'm not a legal expert, sir.

THE CHAIRMAN: Do you have to be a legal expert to express an opinion on that?

MR. MORRISON: Sir, there are, dating back to law school, which for me now is over 12 years ago, there are varied opinions on this matter.

THE CHAIRMAN: You don't think the President is above the law, do you?

MR. MORRISON: Sir, I think there are -- there is foreign law -- foreign policy and law with respect to foreign affairs and there is domestic policy, and I think I fall within the camp of the President is pretty much the ultimate authority on matters of foreign policy under Article II.

THE CHAIRMAN: Well, I'm not asking you about foreign policy. Do you believe the President of the United States is above the law?

MR. MORRISON: I do not believe the President of the United States is above the law as articulated by the Constitution.

THE CHAIRMAN: Mrs. Demings.

MRS. DEMINGS: Thank you, Mr. Chairman.

And, Mr. Morrison, thank you for being here with us today.

That was an interesting exchange. Being someone who enforced the law for 27 years, the President is not above the law, Constitution or otherwise.

I just want to very quickly ask you, when you talked about going to see the NSC lead counsel about your concern about the content of the July 25th call, and I believe you said your main concern was about the call being leaked because of the political environment in D.C., who did you, if you could please clarify for me, who did you speak with before you went to see the legal counsel about your concern?

MR. MORRISON: Ma'am, I articulated in my statement three concerns about what would happen if it leaked.

MRS. DEMINGS: No, I'm just asking, who did you speak with, because that was the issue for Lieutenant Colonel Vindman about him not speaking to you. Who did you speak with before you went to see the lead counsel about your concern about the call?

MR. MORRISON: No one, ma'am.

MRS. DEMINGS: You spoke to no one. And who do you report to?

MR. MORRISON: The Deputy National Security Advisor and the National Security Advisor.

MRS. DEMINGS: Okay. All right. Thank you.

Thank you, Mr. Chair.

THE CHAIRMAN: Mr. Welch.

MR. WELCH: No questions, Mr. Chairman.

THE CHAIRMAN: Ms. Eleanor Holmes Norton?

Then I will hand it back to Mr. Noble.

BY MR. NOBLE:

Q I want to go back to your September 7th conversation with Ambassador Taylor, on page 12 of Ambassador Taylor's statement. We already went over this, but I did want to ask you, that after you had this conversation with Ambassador Sondland, you reported that call or that conversation as well to both Ambassador Bolton and the NSC lawyers, correct?

A Yes, sir, correct.

Q And that would be Mr. Eisenberg and Mr. Ellis?

A Correct.

Q Okay. So am I right that this was at least the third time that you had reported conversations relating to the Ukraine matter to the NSC lawyers?

A At least.

Q Okay. Do you recall any other occasions that you went to the NSC lawyers aside from -- I believe, just so we can account for it on the record, I believe you had the July 25th conversation about the President's phone call.

A And it may have been two conversations.

Q Two conversations that day, okay. And then you had the conversation, I believe, after you returned from Warsaw. You told the lawyers about the conversation you'd had with Ambassador Sondland on the 1st. Is that right?

A Yes.

Q And then you also told them about this conversation you had with Ambassador Sondland, I believe it was on, is it the 7th, September 7th?

A Yes.

Q Okay. So any other times you went to the NSC lawyers on Ukraine matters --

A Yes.

Q -- that you can recall? What were the other occasions?

MS. VAN GELDER: I think, following Chairman Schiff's admonition not to let people ask questions that might eventually get to the whistleblower's identity.

THE CHAIRMAN: Can you repeat the question for me?

MR. NOBLE: Sure. The question was, aside from the conversations you had with the NSC lawyers that we've discussed already today, were there other occasions that he went to the NSC lawyers to discuss Ukraine-related matters?

MR. MORRISON: Yes.

MS. VAN GELDER: Can we put a caveat, nonpersonnel?

THE CHAIRMAN: Yes. You should not answer that question in any way that you believe would relate to the whistleblower. But outside of that universe you -- the identity of the whistleblower, outside of that universe.

MR. MORRISON: There was one other occasion where I spoke with the lawyers about Ukraine-related matters, but I will not get into the substance.

THE CHAIRMAN: Okay.

BY MR. NOBLE:

Q We'll talk and maybe we'll come back to that.

So I want to go back just as a reference point to the text messages quickly. On page 53, it's the last page, this is a text message group involving Gordon Sondland, Bill Taylor, and Kurt Volker.

And do you see up at the top on September 8th at 11:20 a.m., Ambassador Sondland writes: Guys, multiple convos with Ze -- which I take to mean Zelensky -- and POTUS -- which I take to mean the President of the United States.

Now, we've already talked about the conversation that Sondland had with President Trump on or about September 7th that he related to you on September 7th, right?

A Yes.

Q That was the one that Ambassador Taylor wrote about in his statement on page 12?

A I'm sorry. Sometimes I get confused about these conversations.

So we've already talked about the conversation that Ambassador Taylor had with me on September 7th, where I was talking about a conversation I had had with Ambassador Sondland, which I believe was earlier that day.

Q Okay. And that was the conversation that Ambassador Sondland had had with President Trump?

A That's what he related to me, yes.

Q Okay. Did he -- the question is, did he, Ambassador Sondland, tell you about any of the conversations that he had with President Zelensky around this time?

A I don't know that I recall a particular conversation that Ambassador Sondland related to me he had with the Ukrainian President. I think I would remember that because that would -- it's raising my attention now.

I know, and I've earlier today talked about my concerns when Ambassador Sondland would say he was talking to Ukrainian officials, but Ambassador Taylor, our chief of mission, was not aware.

Q Okay. So maybe it might be helpful to look at Ambassador Taylor's statement on page 12 in the next paragraph.

A Uh-huh.

Q About in the middle it says -- and this is a call that -- or this is a conversation that Ambassador Taylor is relating that he had with Ambassador Sondland.

And he says: Ambassador Sondland said that he had talked to President Zelensky and Mr. Yermak and told them that although this was not a quid pro quo, if President Zelensky did not, quote, "clear things up," end quote, in public, we would be at a, quote, "stalemate."

And then Ambassador Taylor said he understood a stalemate to mean that Ukraine would not receive the much-needed military assistance.

And then Ambassador Taylor also -- Ambassador Sondland also said that this conversation concluded with President Zelensky agreeing to make a public statement in an interview with CNN.

And my question is, did you have a conversation with Ambassador Sondland around this time where he relayed to you this conversation he had with President Zelensky about doing an interview on CNN?

A No. But, I'm sorry, I guess where I'm still confused is did -- okay. I see. Right. Ambassador Sondland said that his conversation concluded with President Zelensky.

Q Sure. Yeah, take your time to review that.

A Yeah. No, this is the first I would have heard of this.

Q Okay. So, yeah, my --

A And, again, this is not involving me. This is involving --

Q Right.

A -- Ambassador Sondland and Ambassador Taylor.

Q Yeah. And my question was, did you have similar conversations with Ambassador Sondland where he relayed that he had spoken to President Zelensky and President Zelensky had agreed that he was going to go on CNN to make the announcement about the Burisma investigation?

A No.

Q Did you have any conversations with anyone about President Zelensky making a statement on CNN or other network about the Burisma-related investigation?

A I had conversations with Ambassador Taylor about what I was hearing from Ambassador Sondland that he believed the President wanted President Zelensky to go public. And Ambassador Taylor and I agreed that Ambassador Taylor should counsel President Zelensky not to do it.

Q Okay. And do you know --

A Or counsel Ukrainian officials not to do it.

Q Right. And do you know if Ambassador Taylor, in fact, counseled the Ukrainians not to do it?

A I believe he did, and I believe he said so in his statement at some point.

Q And why did you and Ambassador Taylor agree that President Zelensky shouldn't do that?

A Because we agreed that we did not want to see the President of Ukraine -- really any Ukrainian official -- take a step which we believed at this point would clearly inject them in our politics.

Q Okay. I want to ask you about the September 11th meeting where it was decided to lift the freeze on the assistance.

A Okay.

Q Do you know who participated in that meeting?

A My understanding, because I was not there, was that it was the President, it was the Vice President, it was Senator Portman, and it was Chief of Staff Mulvaney.

Q Okay. Do you know when the meeting occurred on September 11th?

A I believe it was the afternoon or the evening of September 11th. I'm basing that off of Dr. Kupperman hearing from the chief of staff's office around 8 p.m. that night that the hold was lifted.

Q Okay. And where did the meeting take place?

A I don't know. I assume the Oval, but I don't know.

Q Okay. Do you know what was discussed at the meeting?

A I believe Senator Portman was relating, and I believe the Vice President as well, related their view of the importance of the assistance. The Vice President was obviously armed with his conversation with President Zelensky, and they were -- they convinced the President that the aid should be disbursed immediately.

Q Do you know whether the Burisma bucket of investigations came up during that --

A I do not.

Q -- meeting?

So I just want to establish who wasn't there. To your knowledge, Ambassador Bolton didn't participate in that meeting?

A He did not, to my knowledge.

Q And Secretary of State Pompeo didn't, wasn't there?

A To my knowledge, he was not.

Q And what about Deputy National Security Advisor Kupperman, was he there? Was he acting at that time, I guess, on September 11th?

A September 11th, I guess, he was because it was -- Monday, September 9th was Ambassador Bolton went home reportedly having delivered a letter of resignation. And I think, if I'm correct, the Tuesday was September 10th. That was when we saw a tweet indicating that Ambassador Bolton had been terminated.

Q Okay. And, in any event, Dr. Kupperman wasn't at that meeting, to your knowledge?

A Not to my knowledge.

Q Okay. And Defense Secretary Esper wasn't there?

A I'm not 100 percent confident Secretary Esper was yet Secretary of Defense. I don't remember for a fact. We had a few in that era. But to my knowledge, he was not there. The Secretary or Acting Secretary was not there.

Q Okay. Do you know why the President made the decision to lift the freeze at that time?

A I do not. Based on what I had been told, and it's not first person, obviously, it's second and third person, it was -- the case was made to the President that it was the appropriate and prudent thing to do.

Q Okay. And who told you that?

A Dr. Kupperman. I believe Jennifer Williams related to me what she'd heard from her channel, her system, per the Vice President.

Yes, those people.

Q Okay. So Dr. Kupperman and Jennifer Williams?

A Yes.

Q To the best of your recollection?

A Yes.

Q Okay. Were you aware that on September 9th the Intelligence Committee, the Foreign Relations Committee, and the Committee on Oversight had launched an investigation into Trump and Giuliani's efforts to push the Ukrainians to investigate the Burisma bucket of investigations?

A I think maybe we -- the executive branch, the White House had received a letter on that day, and I think I recall seeing it.

Q Okay. Did you have any discussions with folks at the NSC about that?

A I think it may have been discussed in a staff meeting.

Q Who was present at that staff meeting?

A If I'm correct about the staff meeting, all of the NSC senior directors, Doctor -- maybe, if it was the 9th, Ambassador Bolton was still in the seat. If I'm remembering it correctly, I believe it was discussed in the 10 a.m. Monday senior directors meeting. I'm sorry, there's a lot of meetings, so I may not be remembering the right meeting.

Q Okay. Do you remember what --

A It may have happened the following week.

Q Do you remember what was said about the investigation in sum and substance?

A That further guidance would come from NSC Legal as to what NSC Personnel's responsibility was to be prepared for however the President decided to respond to the letter.

Q Okay.

MR. NOBLE: Yeah. I believe my time is up.

THE CHAIRMAN: Mr. Morrison, do you need a break for the restroom or anything, or do you want to keep plugging along?

MR. MORRISON: Keep going, sir.

THE CHAIRMAN: Okay. Good man.

Mr. Castor, 45 minutes.

MR. JORDAN: So, Mr. Morrison, in the last hour in the majority you said there were four times you went to the counsel's office: after the July 25th call, after the Warsaw meeting between the Vice President and President Zelensky, and then after the September 7th Ambassador Sondland call. And then there was another time that you went. And the other time, I just want to be clear, was related to the subject matter of today's deposition?

MR. MORRISON: Yes.

MR. JORDAN: And can you give me the date that that was? I know you can't say --

MR. MORRISON: I can't recall the date, sir.

MR. JORDAN: Was it -- so we did them in sequence, the 25th of July, September 1st, September 7th. Was it after that?

MR. MORRISON: It was after -- it was after the -- it was after the security assistance was released.

MR. JORDAN: So after September 11th. You got an idea of the date?

MR. MORRISON: Sir, unfortunately, I do not.

MR. JORDAN: Okay. Thank you.

BY MR. CASTOR:

Q The September 7th conversation, there was a question, I think, about whether you were able to in some cases verify whether Ambassador Sondland had actually talked to the President?

A Yes.

Q And there were some instances where you weren't able to verify an actual conversation occurred?

A So, okay, sometimes it was because, for example, on September -- I think it was September 7th -- whatever I was -- I was exceptionally busy that morning, and I simply did not have the ability to reach out to the Sit Room, the White House Sit Room, to find out did they have any -- did -- you know.

On July 25th, I was able to confirm through the White House Sit Room and another staffer that that call had occurred between the President and Ambassador Sondland. I did not have the bandwidth to do that on September 7th, for example.

Q Okay. So you were never able to verify if that call happened?

A I was never able to verify whether Ambassador Sondland did indeed speak to the President that morning.

Q Okay. Going back to the MEMCON. If I understood you correctly, and this was early in today, so if I'm getting anything wrong, please correct me, I don't mean -- I'm not -- there was nothing unusual about the preparation of the MEMCON? Did you say that? Or did it follow the regular process?

A So the MEMCON itself was being prepared in the usual way except for the fact that I flagged for Mr. Eisenberg and Mr. Ellis that I thought we should reduce access to that package.

Q Okay. And you provided definitive testimony on what happened in Exec Sec and whether there was a mistake or not. But the actual preparation of the document --

A It followed, as near as I can recall, the normal process.

Q Okay. And had any staffer had edits or corrections you had an open door to discuss possible edits?

A Yes.

Q And ordinarily if any staffer -- and I think I asked you this before -- if a staffer that was on the call and heard something and had notes and wanted an edit, you would ordinarily install that edit as the final authority?

A So I had myself in the posture before the MEMCON would be closed, so to speak, and sent off to the Exec Sec folks to process and then be sent to Ambassador Bolton for him to sign off that the package was ready. I had to have the final set of eyes on it.

And so I would review any edits proposed by anybody else who was on the MEMCON. So in this case I believe it was chiefly my directorate and NSC Legal. It may have been the case that the Energy Directorate was on the MEMCON because we do a lot with Ukraine on energy. But I don't recall that they had any edits.

But I put myself in the place of I would be the final authority to review any edits proposed before it would go off to Exec Sec.

Q Okay. Have you seen any of the public reporting about Colonel Vindman's issues he raised with the MEMCON?

A Yes.

Q And how do you square what's been reported about what he said with what --

A Different people have different recollections. I put in my statement that I believe the MEMCON is accurate and complete.

Q Okay. Are you familiar with a former DAS from the Defense Department, Evelyn Farkas?

A Yes.

Q Were you aware of any effort that she was undertaking to get information on Trump allies as it relates to Russia?

MS. VAN GELDER: I'm sorry, before he even answers that question, I'm going to say that goes back to what we'll call the whistleblower attempt, that information.

MR. CASTOR: This relates to the whistleblower, the --

MS. VAN GELDER: I believe that unless -- you can ask whether he worked with her or had an issue with her, then that's totally within your scope, sir. But if it's, have you worked with her and has she tried to get information, then that's outside the scope of what he is testifying for.

MR. CASTOR: Okay. We'll just go one at a time then.

MS. VAN GELDER: Okay. Sure.

BY MR. CASTOR:

Q You know DAS Farkas?

A DASD, yes.

Q Yeah. And how do you know her?

A I knew her when she was the deputy assistant secretary of defense for -- I think that portfolio was RUE, Russia and Ukraine and Eastern Europe, during the Obama administration.

Q Okay. You knew her just that way?

A As a HASC staff member, I had reason to engage with her.

Q Okay. And is there anything about any communications that you had with her in 2017 that you remember?

MS. VAN GELDER: Objection. The scope of this, by definition, does not start in 2017. So I'm going to object it's out of scope. But also unless it relates to the subject matter here, whatever -- if you have a discussion relating to this then we'll take it on a case by case.

MR. CASTOR: Fair enough.

Any other Members?

I yield back.

THE CHAIRMAN: I think we have a few more questions and then we should probably -- well, what I was going to say is I think we have a few more questions. And then we should huddle with you and see if we can resolve some of the questions that we've asked that you've refused to answer on potential privilege issues.

I recognize Mr. Goldman.

[3:05 p.m.]

BY MR. GOLDMAN:

Q You referenced earlier some conversations that you had with Ambassador Volker about this alternative policy process or the shadow policy process that Rudy Giuliani and Ambassador Sondland were operating. When were those conversations that you had with Ambassador Volker?

A I recall a specific one example early September, where Kurt came by the office -- actually, I'm sorry, apologies -- early August, where Kurt came by the office with some of his staff, and I had Colonel Vindman and Mr. Erath accompanying me. And it was generally an update on what Kurt was doing as Special Envoy for Ukraine Negotiations.

When the meeting -- when that subject had exhausted itself, I asked for Kurt to have his staff leave. I asked my staff to leave. And that's when I asked Kurt about what he knew of this parallel channel, this parallel process.

And, based on the call, the President's phone call, based on what Dr. Hill had related to me, I wanted -- I like to try to evaluate things for myself. I wanted to evaluate one-on-one with somebody I'd known for quite some time what was he tracking.

Q And you said early August. Do you have any more specificity?

A 2 August.

Q August 2nd?

A Yes.

Q Okay. And what did he say to you?

A He said, yes, he was -- to the best of my recollection, he said, yes, he was aware of what Gordon was doing. I think he said he'd had some phone calls with Mr. Giuliani and that it was his practice to try to stay out of the political side of it and simply keep focused on reform in Ukraine.

Q And did the topic of these Burisma bucket of investigations come up?

A I think the -- I don't recall the idea of an investigation, per se, coming up. I recall the topic of Burisma, the topic of -- I don't know that I specifically mentioned the server or he mentioned the server issue or -- I certainly don't have any recollection of CrowdStrike. That it was just generally, you know, what is your take on what's going on here? How are you involved? And we both agreed we really didn't want to be involved.

Q And what did he say about Mr. Giuliani?

A To the best of my recollection, he said that he'd had conversations with Mr. Giuliani from time to time and that, you know, Mr. Giuliani had a belief that Ukraine was somehow involved.

Q Ukraine was somehow involved?

A I'm sorry, that Ukraine was somehow involved in 2016, the election.

Q And what did he -- what else did he say?

A I think that's effectively it. It was maybe a 10-minute stay-behind.

Q Okay. Ten minutes is a long time. Did he give his -- did he indicate to you that he was also in touch with any Ukrainians on this topic?

MS. VAN GELDER: The topic being the --

MR. GOLDMAN: The investigations.

MR. MORRISON: The Burisma bucket. No, I don't believe so. I have no recollection of that if he did.

BY MR. GOLDMAN:

Q And what did he say about Ambassador Sondland's role?

A Yeah, I mean, I think we both agreed that Ambassador Sondland was, you know, sort of a free radical. He was sort of out there, engaging when he wanted, and it was not always possible to keep track of what it is that he was doing and who he was talking to.

Q And so, as of August 2nd, after, you know, 2-1/2 weeks on the job, you understood, yourself, that Sondland was, quote, "a free radical," unquote?

A I mean, I had some reason to believe that, based on Dr. Hill's, you know, warnings when we were doing the handoff.

Q And had you witnessed it yourself?

A Yes. Not on Ukraine, but yes.

Q Uh-huh. And what did Ambassador Volker say about Sondland's connection with Giuliani?

A I think it was chiefly just that they were talking, that they were engaging regularly on these issues.

Q And did Ambassador Volker reveal whether Ambassador Sondland was also engaging with any Ukrainians?

A Not that I can recall. I was really chiefly focused on getting from Ambassador Volker what did he -- what was he involved in? What was he seeing? Because I really only had what I'd heard at this time from Dr. Hill. And I think this was the first time I was in a position to talk to Ambassador Volker other than on an open phone line, one-on-one.

Q Right. No, it makes perfect sense. You're trying to figure out what's going on after this call. I guess I'm just -- what I'm trying to understand is what Ambassador Volker described to you about his experience with Ambassador Sondland related to Ukraine.

A And, again, all I can recall is, you know, he provided his own -- he provided me with an additional confirmation that there was this parallel channel and it was focused on this -- you know, there were these Burisma issues. But I have no recollection of, you know, Ambassador Volker speaking about any conversations that he, Ambassador Volker, had with Ukrainian officials about this subject matter nor Ambassador Volker telling me that Ambassador Sondland or Mr. Giuliani were having conversations with Ukrainian officials about the subject matter.

Q So he didn't tell you that Rudy Giuliani was in Madrid that very day meeting with Andrey Yermak?

A Not that I can recall.

Q And that --

A On August 2nd?

Q Yeah. And that Ambassador Volker had actually arranged that meeting?

A I don't believe so.

Q Did he mention anything about the White House visit in that meeting?

A I think that was in the main meeting, was, you know, where were we on getting a White House visit set up.

Q And what did you say?

A I said it was in -- we had endorsed it, it was in the scheduling process, and we were working to find an opportunity. I mentioned to him -- I believe I mentioned to him that I was working that with Bill Taylor.

Q Uh-huh. Did you ever hear from anyone that Rudy Giuliani was weighing in on whether there should be a meeting or not?

A No, I don't think so.

Q But you were aware that Rudy Giuliani had regular communications with President Trump, correct?

A I mean, I guess I'm not surprised, but I don't think I have any firsthand knowledge of that.

Q And you said earlier that every time -- and that you also understood that Ambassador Sondland had regular communications with President Trump.

A Certainly, Ambassador Sondland related to me that he did.

Q Right. And every time that you checked to confirm whether his representations of those conversations was accurate --

A And that's --

Q -- they were, in fact, accurate.

A Sorry. Yes. Every time he told me he had a conversation where I was able to search to see could I confirm that a call happened, yes, I was able to confirm a call happened. I was not able to confirm that Ambassador Sondland's representations about the substance of the call were accurate.

Q No, I understand that. I just meant there was no time when you did, you know, your background research to confirm whether or not his representation about the fact of a call was wrong.

A Correct.

Q And you also said, by the way, on that July 25th call, when you sought to confirm whether he did speak with President Trump, that a staffer also told you that he did?

A Yes.

Q Who was the staffer?

A I believe it was [redacted]. [redacted] an assistant to the President for scheduling, Presidential scheduling.

Q Okay. So [redacted] helps to schedule the phone calls, and so you could reach out to [redacted] to --

A Well, [redacted] helps to schedule the President's schedule. [redacted] doesn't necessarily schedule the President's -- all of the President's phone calls.

Q Okay.

After that August 2nd conversation with Kurt Volker, did you have any more conversations with Kurt Volker on this topic?

A On the topic of the so-called Burisma bucket?

Q On the topic of the non-eastern-Ukrainian issues related to Ukraine, non-war issues.

A No, I don't believe so.

Q Nothing?

A I don't believe so. I think I --

Q The White House visit?

A -- only had one more -- so I had one more meeting with Kurt, which I think was before the U.N. General Assembly. And then, if I'm not mistaken, Ambassador Volker may have resigned the day after the U.N. General Assembly meeting. I remember Ambassador Volker several times poking me to try to get himself a seat in the bi-lat, in the POTUS-Zelensky bi-lat, and I did not support him getting a seat.

Q Did you have any discussions with him about the July 25th call at any point, including in the UNGA?

A I don't know if I had a conversation -- I don't believe I had a conversation with him at UNGA about the call. I believe I had a conversation with him either immediately before or immediately after the call, back to July 25th, about the call.

Q What do you remember about that?

A Yeah. So I'm just looking again at what I printed out on my calendar. I had a conversation with him on Monday, July 22nd. And I think it was -- it was an unclassified call. So I think it was only Ambassador Volker checking in, "Hey, is there going to be a call? What can you tell me about are we going to be able to land a call?"

Q Okay. And that was the only other time. Did you -- oh, sorry. Around the UNGA period, did you talk to him about the whistleblower complaint at all?

A So, no. I mean, I just want to frame -- Kurt showed up for the bi-lat at UNGA kind of by surprise. I was sort of -- I didn't understand why he was there since we didn't get him a seat. He had no seat in the meeting. And so I was chiefly surprised when he showed up that he was even there.

Q And you didn't talk to him?

A No. He was pretty pissed off at me.

Q Okay.

What about Secretary Perry? Did you have any conversations with Secretary Perry about Ukraine?

A Yes.

Q When? How many?

A Three, three at the most.

Q And do you recall approximately when they were?

A So one of them was before the Warsaw bi-lat.

Q Which he attended, right?

A He did attend the Warsaw bi-lat. So I talked to him before the Warsaw bi-lat about an unrelated matter. I talked to him at the Warsaw bi-lat about the bi-lat and an unrelated matter. And I talked to him -- I mean, I talked to him at a couple PCs, frankly, I guess, now that I'm thinking about it.

But, really, Ukraine was a related issue to other policy matters that we were working on. For example, I think I -- so, for example, Nordstream 2. The impact of that pipeline affects Ukraine's --

Q Uh-huh.

A -- economy and energy security.

Q Well, let me ask you this way: Did you ever speak with Secretary Perry about this alternative process that you've been talking about today?

A No.

Q Did you ever speak to him about Rudy Giuliani's involvement in Ukraine?

A No.

Q Did you ever speak to him about Ambassador Sondland and his involvement in Ukraine matters?

A Yes.

Q When did you speak to him about that?

A In the run-up to the bi-lat, because Secretary Perry was signing a trilateral memorandum of understanding on energy security between the United States, Poland, and Ukraine, and Ambassador Sondland claimed some credit for helping to negotiate that document.

Q And that was the topic of your discussion with Secretary Perry?

A About Ambassador Sondland?

Q Yeah.

A Yes.

Q Were you aware that there's a nickname for Ambassador

Sondland, Volker, and Perry?

A I am now.

Q What is it?

A It's been reported, and I have no firsthand knowledge, that it's the three amigos.

Q Did you ever hear any of the three of them call themselves that?

A I don't believe so.

Q So you never discussed with Secretary Perry any of these Burisma bucket of investigations?

A I did not.

Q What about Ulrich Brechbuhl? Did you ever discuss Ukraine with Mr. Brechbuhl?

A No.

Q What about George Kent? Did you have any occasion to speak with him? I understand he's sort of a level below you.

A He would've been on various secure video teleconference appointments. I think he would've come to one or more of the Ukraine PCCs that we were running.

Q Uh-huh. Did you ever have any conversations with him where he expressed concerns about the Sondland-Giuliani bucket of issues?

A I recall a PCC where he expressed concern about Ambassador Sondland's role in Ukraine at all, but not any of the investigation/Burisma bucket issues.

Q Was that a private conversation between the two of you?

A No. It might've been during the PCC itself.

Q During the PCC, he announced to the whole room that he was concerned about Ambassador Sondland's role?

A I think the way he framed it is just in terms of, we were doing a status check. State, what have your engagements been with Ukraine lately? Again, part of the object of the PCC is to make sure everybody knows what everybody is doing. And I believe the way he framed it was, "We understand Ambassador Sondland has been to Ukraine lately, but we don't know why."

Q Okay.

And the last thing before we take a moment to talk to your lawyer, you've described a little bit about general complaints that President Trump had about Europe not providing enough security assistance to Ukraine.

A Yes.

Q Are you aware that Europe provides a lot of economic assistance to Ukraine?

A Roughly 15 billion euros, yes.

Q Right. That's quite a significant amount of assistance to Ukraine, correct?

A Not security assistance.

Q Right. So your understanding is that President Trump understood the nuance between security assistance money and economic assistance?

A I know President Trump was concerned that the United States was essentially the only supporter of security-sector assistance to Ukraine.

Q In any of your materials that you produced as part of this process to, as you described it, to convince President Trump to release the aid, did you ever authorize or include the fact that Europe provided 15 billion euros of economic assistance?

[Discussion off the record.]

MR. MORRISON: We made sure the President's briefing materials were complete and accurate.

BY MR. GOLDMAN:

Q So is that a "yes"?

A We made sure the President's briefing materials were complete and accurate. I don't want to get into what was and was not in the President's briefing materials.

MR. GOLDMAN: Maybe now is a good time to discuss this.

THE CHAIRMAN: I just have one question, and then why don't we huddle and see if we can resolve some privilege issues. And we'll stop the clock, and then we'll go back on the clock and then see if the minority has followup questions as well.

The last question I have is: Did Ambassador Sondland have an aide or an assistant who worked with him on what we're describing as the irregular channel issues? Someone that, to your knowledge, traveled with him or that you could reach out to if you needed to contact him?

MR. MORRISON: No. It was always Gordon himself.

THE CHAIRMAN: Do you know who his staff was?

MR. MORRISON: I engaged with the U.S. EU Mission staff on various topics from time to time.

THE CHAIRMAN: And those staff, would they have been in Europe?

MR. MORRISON: He may from time to time have had an aide travel with him. It's not uncommon for an Ambassador to have somebody help them, you know, with baggage calls and things like that. But I don't recall -- I mean, whenever we were in this -- most of my engagements with Gordon were one-on-one, phone calls and such.

THE CHAIRMAN: Okay.

Why don't we recess for discussions, and we'll try to make them quick, as we would like to get you out at a reasonable hour.

MR. MORRISON: Thank you, Chairman.

[Recess.]

THE CHAIRMAN: Okay. Let's go back on the record. And we can continue the clock from here.

And I'm handing it over to Mr. Goldman.

MR. GOLDMAN: Thank you, Mr. Chairman.

BY MR. GOLDMAN:

Q Mr. Morrison, I'm going to go back to the circumstances surrounding the freeze on the security-sector assistance. And you said that, after the Deputies Committee meeting on July 26, you had a conversation with Ambassador Bolton about holding a Principals Committee meeting on the topic and that Ambassador Bolton decided not to pursue a Principals Committee meeting on that topic. Is that accurate?

A Correct.

Q What was the reason that Ambassador Bolton gave you for not holding the Principals Committee meeting?

A He believed that it was unnecessary, that he already had a reasonable idea of where the principals were, and he wanted to get directly to the President as early as possible in the most effective way.

Q And where did he understand that the principals were?

A That they were all supportive of the continued disbursement of the aid.

Q And, in fact, that was pretty much the unanimous position of the entire interagency, right?

A It was the unanimous position of the entire interagency.

Q Uh-huh. And is it fair to say that, by the end of July, the interagency generally believed that Zelensky had been, to that point, true to his commitment for reform?

A What I would say is, the interagency believed it was important to give Zelensky a chance. He had not yet really been able to demonstrate that he would deliver, just because of when the Rada would be seated, which didn't happen until the end of August.

Q When did he implement the high court for corruption prosecution?

A I don't have that date in mind.

Q But it was before the Rada --

A That sounds right to me.

Q And that was a fairly significant anticorruption move that none of the previous Presidents had done. Is that right?

A Correct.

Q And so why did Ambassador Bolton want -- so, sorry. Did you say that Ambassador Bolton wanted to try to get the President one-on-one to discuss this issue?

A No.

Q What was it that he wanted to do rather than --

A He wanted to get the principals themselves in with the President to convey their support directly.

Q I see. And what efforts did he take to convene that meeting?

A Well, that was the impetus behind drafting the PDM, having it ready for him to take with him to Bedminster on 16 August, so that if there was an opportunity to raise it with the President, he would be prepared to have that instrument for the President to sign and memorialize the release of the aid.

Q Got it. And did they have time in the meeting to present it to the President?

A They did not.

Q You said that, prior to that meeting, you learned that the principals gathered and did discuss Ukraine. Was that in Bedminster as well?

A That's my understanding.

Q What did you learn about that discussion?

A I learned that they all represented to Ambassador Bolton that they were prepared to tell the President they endorsed the swift release and disbursement of the funding.

Q Okay. And, by this time, by August 16th -- withdrawn.

Did Ambassador Bolton ever try to provide the PDM to the President after the August 16th meeting?

A Not to my knowledge.

Q Why not?

A Well, it was August 16th. We were expecting the President to meet with President Zelensky on 1 September. It's the middle of August; it's about 2 weeks. I believe Ambassador Bolton did not think, although I recall trying to figure out if we could, get the key principals together with the President to get the decision made. We quickly determined they were all over the place and some of them were on vacation. So the next opportunity really would be Warsaw.

Q And did that opportunity arise in Warsaw?

A No.

Q Because the President didn't go?

A Correct.

Q And you also testified earlier that Ambassador Bolton did have a one-on-one meeting with the President related to Ukraine security assistance. Is that right?

MS. VAN GELDER: He never -- he never --

MR. GOLDMAN: He never answered. All right.

BY MR. GOLDMAN:

Q Did the President have a meeting with Ambassador Bolton, a one-on-one meeting, related to Ukraine security assistance?

A Yes.

Q When was that meeting?

A I don't recall exactly.

Q Before Warsaw?

A No, I don't think so.

Q After Warsaw?

A Well, so excuse me. It was before Warsaw. I hesitated because I believe it was -- I believe it was also before Bedminster.

Q Oh, it was before Bedminster.

A Yes.

Q Okay. And can you describe for us whether there was a change of course in your duties that flowed from that meeting? Were there any instructions for you that flowed from that meeting?

A I was told to continue to look for opportunities to get the principals together to have the direct, in-person conversation with the President about this topic.

Q Did you understand, at that point, that the President was open to releasing the security assistance, based on what you understood occurred at that meeting?

A Ambassador Bolton's one-on-one meeting with the President --

Q Yes.

A -- sometime prior to Bedminster?

Q Right.

[Discussion off the record.]

MR. MORRISON: The President was not yet ready to approve the release of the assistance.

BY MR. GOLDMAN:

Q And did you understand what the reason that he had was? Did you have an understanding of that?

A I only --

Q From Ambassador Bolton?

A The extent of my recollection is that Ambassador Bolton simply said he wasn't ready to do it.

Q Did you have any discussions with Ambassador Bolton about any concerns that he had about the alternative process that you've been describing here today?

A So there was the general concern Ambassador Bolton had about Ambassador Sondland -- general, not specific to Ukraine. And there was the specific concern we both shared about what we understood Ambassador Sondland chiefly to be doing, about which my consistent direction from Ambassador Bolton was, "Do not get involved, and make sure the lawyers are tracking."

Q Do you recall the first time that you spoke to Ambassador Bolton about that specific issue related to Ukraine?

A I believe it would've been around the 7 August -- was it 7 August? -- 7 August phone call.

Q With Ambassador Taylor?

A Ambassador Sondland. When did I -- I had an early -- what was the conversation I had with Ambassador Sondland?

[Discussion off the record.]

MR. MORRISON: So there was the general admonition from Ambassador Bolton when I first took over and I told him about my first non-Ukraine conversation with Ambassador Sondland, where he said, just essentially, ignore him, don't talk to him.

And there was -- on Ukraine, the first conversation I would've had with Ambassador Bolton about what Ambassador Sondland was doing would've been on -- it was the September 1 call. And then, again, I went over to his office after the September 7th call. So that's what I'm trying to keep straight in my head.

BY MR. GOLDMAN:

Q So, even after you had the conversation with Kurt Volker in your office on August 2nd, you didn't speak to Ambassador Bolton about the topic of Ambassador Sondland and his efforts for a month?

A Not -- yeah, not yet.

Q Did you have any conversations with Ambassador Bolton about his concerns about Rudy Giuliani or any concerns about Rudy Giuliani?

A No.

Q Did the names Igor Fruman and Lev Parnas ever come across your desk?

A Not across mine, no.

Q Did John Eisenberg relay any concerns to you about this sort of alternative process that we've been discussing here today? Or let me put it this way: Did John Eisenberg ever relay to you any concerns about this pressure for these investigations?

A No.

Q Any concerns about -- did you discuss with him any concerns about Ambassador Sondland and his efforts?

A Yes. Certainly after the 1 September phone call. Certainly after the 7 September phone call.

Q Uh-huh. And what concerns did he raise, did he express to you?

A I don't know that he -- I don't know that he relayed concerns to me. I think it was more of a one-way briefing, one-way conversation.

Q He took it in?

A Yes.

Q Did he take notes?

A I don't recall. Sometimes I can recall him taking notes on conversations we had; sometimes not. I think he was kind of like me, in the case that he typically took notes when there was an action he needed to take.

Q You said earlier that he indicated that the transfer of the MEMCON to the highly classified system was a mistake. Do you know if it was taken off of that system after that discussion that you had with him?

A As of the third week of September, it was not -- it had not been taken off.

Q Do you know why?

A No.

Q Did you suggest that it be put back on the normal system with restricted access?

A I don't know that I affirmatively suggested it. I think I assumed that it would be moved down when we discovered that it was put there by mistake.

Q Are you not able to restrict access, yourself, on the normal portal?

A No. That's a function of the Executive Secretary. They control those permissions.

Q But would you be able to direct the Executive Secretary to restrict access?

A Yes.

Q So why didn't you just do that?

A I think I was looking for, sort of, a second opinion that I was not overreacting.

Q In what way would you be overreacting?

A I guess I don't want to speculate. I just -- I thought it appropriate to make sure they agreed with me that this was the kind of thing that merited a more restricted access.

Q And I think my last question. I don't know if -- Chairman Schiff may have a couple more. But do you know, during your tenure at the NSC, whether the National Security Council ever provided any information or material related to this Burisma bucket of investigations to the President?

A I am not aware of any NSC material being provided to the

President on this topic.

MS. VAN GELDER: "On this topic," you mean?

MR. MORRISON: The Burisma bucket.

BY MR. GOLDMAN:

Q Sorry. Did you say non-NSC material, or did you say NSC material?

A If I did, I misspoke. I am not aware of any NSC material being provided to the President on this topic.

Q And are you aware of any other material that has ever been provided to the President on this topic?

A No. Well, with the potential exception of -- I'm not necessarily aware, but one could speculate about what Ambassador Sondland was providing the President. I mean, he pre-briefed him for this July 25th call.

Q Right. Or Rudy Giuliani, for example.

A So I don't have any -- I don't have any knowledge of any Giuliani-POTUS engagements. I said earlier I could speculate that they did, because he's the President's personal attorney, but --

MR. GOLDMAN: Right. Okay.

THE CHAIRMAN: I just have a couple questions.

In the one-on-one meeting between Mr. Bolton and the President, did the topic of the Burisma bucket of issues come up?

MR. MORRISON: Not that Ambassador Bolton discussed with me.

THE CHAIRMAN: And in the Bedminster principals meeting, do you know whether anyone in that meeting brought up what you've described as the Burisma bucket of issues?

MR. MORRISON: Mr Chairman, not that I was ever informed.

THE CHAIRMAN: Okay.

Any other questions from Members?

Any questions from the minority?

MR. CASTOR: We're good. Thank you, sir.

THE CHAIRMAN: Well, we are remarkably on time, which, I have to say, I'm shocked. Well, 10 minutes late, but by congressional time, we're at least an hour early.

Mr. Morrison, thank you for your testimony today.

MR. MORRISON: Thank you, sir.

THE CHAIRMAN: And you are excused. And I know we have some other business, I think, that Mr. Jordan wanted to raise, but thank you for your testimony, and happy Halloween.

MR. MORRISON: Thank you, Chairman.

[Whereupon, at 4:09 p.m., the deposition was concluded.]